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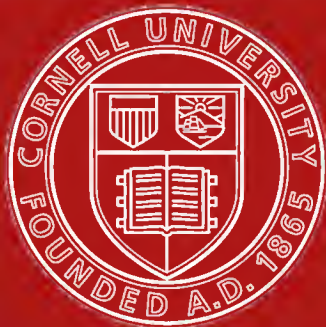
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BRIEFS FOR KOREA

PRESENTED TO

FOREIGN AFFAIRS COMMITTEE OF THE HOUSE OF
REPRESENTATIVES OF THE UNITED STATES

AND TO THE

FOREIGN RELATIONS COMMITTEE OF THE SENATE
OF THE UNITED STATES

PREPARED BY

MR. FRED A. DOLPH

COUNSELLOR TO THE REPUBLIC OF KOREA

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THE KOREAN QUESTION

Pending before the Foreign Affairs Committee of the House on Resolution, introduced by Mr. Mason, of Illinois, viz: House Resolution No. 359, introduced October 24, 1919, reading:

Resolved, That the House of Representatives of the United States express its sympathy with the aspirations of the Korean People for a Government of their own choice.

BRIEF FOR KOREA

Submitted by Mr. Fred A. Dolph, Counsellor to the Republic of Korea.

The original brief on the Korean Question, prepared for the Foreign Relations Committee of the United States Senate, particularly referred to the relations between Japan and Korea. That brief was printed in the Congressional Record under date of September 19, 1919.

The present brief, prepared primarily for the Foreign Affairs Committee of the House, has particular reference to the relations between the United States and Korea, which are deemed quite as essential to an understanding of the whole Korean question.

The United States was the aggressor in trying to secure recognition from Korea, only a few years ago. All our efforts in that direction prior to 1882 had been unsuccessful. Up to that time we had sent five naval expeditions to Korea for that purpose; four in command of Commodore Shufelt, and one other which was quite pretentious was the naval escort for Mr. Low, former Minister to China.

In all of these five attempts, which were failures, we used the same methods that had been successfully used by Perry in opening Japan, but here was a nation of different temper. It was found that force or display of force could not be used without loss of life and international complications. As it was, we had lost one ship with its crew and had retaliated by reducing the Koreans' forts that were within range of our ships' guns, and it was one of the sensational questions of the day as to whether we had the right to do all that.

In any event, it was finally decided to use a different course, and in 1878, Senator Sargent, of California, introduced a Resolution in the Senate authorizing the appointment of a commission to negotiate a

treaty with Korea and recommending an appropriation of \$50,000 for that purpose. The following year Commodore Shufelt was sent as Naval Attache to China, with orders not only to assist China but to make a treaty with Korea.

The Commodore became a great friend of Li Hung Chang, then at the height of his power in China and also at that time influential in Korea, and through him and with his help the Treaty was finally negotiated and signed by Commodore Shufelt and the Korean Envoys at the little city of Yin Chuen, Korea, on May 22, 1882.

This was regarded as a great diplomatic feat and upon his return to America, Commodore Shufelt was banqueted and acclaimed for his great service to the United States in opening Korea. He was told that this Treaty "would place his name in history beside that of Perry," who had previously secured the recognition of Japan.

Hon. John Russell Young, writing from the United States Legation at Pekin to Secretary of State Freylinghuysen, on December 26, 1882 (received February 23, 1883), says:

"Taking everything into consideration the legation will hear with pleasure that the Shufelt convention has been ratified. I think it very important that the United States should have a footing in Corea, and that having opened the door, we should not close it or give any other power precedence."

The Treaty was promptly ratified by the United States Senate, albeit with "mild reservations" and was formally signed by President Arthur. The King of Korea accepted the reservations, and we lost no time in sending a Minister to Korea, in the person of Mr. Foulke. Korea reciprocated by sending a Commission to the United States, which the President received with the usual ceremony; and, as evidencing our exceeding good will and our anxiety to make a good impression upon Korea, the U. S. Warship Trenton was detailed to carry these Korean diplomats back to their homes, after they had concluded their mission. No other nation has ever been accorded the same courtesies and attention.

For over twenty years this interchange of diplomatic relations continued. During that time Americans built the first steam railroad, the first electric street railway and the first electric light plant in Korea. Water works were constructed at different points; gold and coal mines were opened and operated, and all were equipped with American machinery, designed by American engineers. Model American farms were established, and American built steamboats were pur-

chased to ply in Korean waters. In short, a great American trade was being developed.

Distinct progress was also being made along educational lines. American educators were employed to install school systems. American physicians opened hospitals and medical schools, and Koreans by the hundreds flocked to the United States to attend our schools and colleges.

Korea, during that twenty years of close diplomatic relation with the United States, enjoyed an era of prosperity and progress, with American advice and help, that is without parallel in her history, either before that period or since. Suddenly this all ceases. Japan intervenes and America is not permitted to have anything further to do with Korea. Just why this should be is one of the vagaries of political history.

The same National Government for Korea—changed only from a Monarchy to a Republic by will of the people and by acquiescence of the Royal Family—that we were so anxious to make a Treaty with forty years ago, is now only asking that we exercise our good offices under the provisions of the Treaty by at least expressing our sympathy with the international justice of their cause.

They are fighting to return to that liberty and prosperity which they enjoyed while diplomatically associated with us, and now ask that we comply with the Treaty that we were at such pains to get and which we practically forced upon them.

The Treaty with Korea, which we make but a “scrap of paper” unless we fulfill our covenants, provides:

“If other Powers deal unjustly or oppressively with either government, the other will exert their good offices, on being informed of the case, to bring about an amicable arrangement, thus showing their friendly feelings.”

This Treaty has never been abrogated by direct act of the parties thereto. The national records of both Korea and the United States are silent on the subject. The diplomatic and commercial activities between the United States and Korea suddenly stopped. The cause is known, but we must examine the archives of other countries to find the record. It is no mere coincidence that this happened at the same time that England and Russia in separate treaties with Japan, made within thirty days of each other in 1905, stipulated:

“Japan possessing paramount political military and economic interests in Korea, the high contracting parties recognize

the right of Japan to take such measures of guidance, control and protection in Korea, as she may deem proper and necessary to safeguard and advance those interests."

We were not party to either of those treaties and yet we have from that time to this said nothing and done nothing. We have simply abandoned Korea to her fate, and the awful fate it has been is a matter of common knowledge and history.

Prior to that time we were very anxious to protect Korea and used our "good offices" without stint. We held (see ruling of Secretary of State Bayard, March 14, 1887), that

"By article XIV of the Treaty the United States, its public officers, merchants and citizens are entitled to the most favored nation treatment."

Insisting upon this construction of the Treaty in our behalf, we allowed a liberal construction in favor of Korea and Korean rights, and on many occasions we used our good offices in the protection of those rights against oppression by others. We thought it worth while then, and why not now?

In 1887 and 1888, when China was claiming some supervision over the appointment of Envoys from Korea to the United States, insisting that China should be consulted and that the Envoys should be introduced through the Chinese Embassy, etc., there was a long diplomatic correspondence in which Secretary of State Bayard sustained Korea and overruled all of China's claims. Secretary Freylinghuysen, in a previous ruling made June 9, 1883, had held:

"The existence of international relations between the two countries (United States and Korea) as equal contracting parties is an accepted fact."

Hon. Alvey A. Adee, who was Acting Secretary of State on July 9, 1895, in a letter to Mr. Sill, the United States Minister to Korea, said:

"Your action in refusing to recognize that Korean independence dates from the 6th day of June, 1895, is approved. The position assumed by this government towards Korea since contracting the Treaty with it in 1882 has in no wise been effected by recent events. Korea's treaty independence since then has been for us an established and accepted fact."

Just prior to Mr. Adee's ruling, Secretary of State Gresham at the time of the threatened invasion of Korea by China in 1894, intervened

under the "good offices" clause of the Treaty to protect Korea and all through the Chinese-Japanese War preserved that same attitude, to the extent of having Americans sit at the Peace Table at the time of the conclusion of that war. (See Diplomatic Policy in the Orient by Hon. John W. Foster, ex-Secretary of State, page 333.)

It is fair to assume that the United States was instrumental in, if not responsible, for the provisions written into the Treaty between China and Japan in 1895, which definitely recognized the independence and territorial integrity of Korea by both Japan and China. At least our representatives were at the Peace Conference for that purpose, to protect Korea and to use our "good offices" under our own treaty with Korea.

For twenty years we lived up to the letter and the spirit of our Treaty with Korea and did what we had agreed to do, and Korea did the same; she poured out to us her raw materials and her wealth, that she had, in return for our railroad and electric railway equipment and machinery, our supplies, mining machinery, and other manufactured articles, willingly and gladly, in full appreciation of our protection and of our help and assistance economically. Suddenly, without cause, so far as Korea is concerned, and without warning to Korea, we threw up our agreement, abandoned Korea and withdrew all diplomatic relations.

The reasons for maintaining relations with Korea are certainly many fold stronger now than they were back in the eighties, when we were so anxious to obtain a treaty with Korea and when we forced one upon her.

Korea now furnishes one of the Pacific terminals for the longest chain of railroads in the world. The Atlantic terminal is Paris and the French harbor cities. Her mines and other natural resources have been located and explored, and her people have been taught the value of education and the Christian religion. She now has, according to Japanese statistics, 3,264 Christian churches which average at least a congregation of 300 each, because definite statistics from missionary societies show congregations in large centers having as high as 1,800 members. Korea is the only Christian nation of the Orient, and is the only nation to which we are now paying no attention.

In the matter of education she has progressed wonderfully since that time, years ago, when Shufelt negotiated our Treaty. Thousands of Koreans have become educated in our language and hundreds have been graduated from our universities and colleges. It is said that as large a percentage of the members of the Korean National Council,

which corresponds to our Congress, are graduated from universities and colleges of ours, as are our own Congressional representatives. This suggests another thing: Korea is now a Republic with a government framed as near as may be after our own. This is of itself a conclusive reason why we should continue to live up to our Treaty covenants.

Japan took possession of Korea for selfish purposes; in fact, no other reasons are urged, except in a faint way, knowing that they will not and can not be believed. The Japanese author, Asakawa, in his book, the Russo-Japanese Conflict, assigns no other reasons, assuming that it was all sufficient to say that Japan needed the country because Korea had agricultural lands, and Japan had none to speak of. The fact that Korea's agricultural lands were already occupied and cultivated by a Christian people seemed to be of little moment to him and to the Japanese mind, in the face of that great reason, that Japan needed the land. Another writer and publicist from Japan, Adach Kimosuke, treats the subject with candor and frankness, at least. In the October, 1907, number of the Review of Reviews (Volume 36), he writes:

“We shall be frank about it—we shall say that we are carrying things with a high hand in Korea. We have gone into the back yard of our neighbor and are telling him to kindly move on simply because we need his home. We are doing just as the Americans have done with the Indians, the rightful owners of America; just as the Britons have done to the Hindus; just as the Russians have done to the Tartars; as Germany did in South Africa, and France in Cochin China. Nippon has joined the house of great powers. She has become civilized.”

In the same spirit of frankness and candor the writer goes on to say that the only blunder Japan made was that she did not annex Korea in 1873, as advised by Saigo. At that time he says the other Powers had not taken an interest in Korea, and America had not entered into the situation.

Japan can not shield herself with the cloak that Kimosuke gives her in his article in the Review of Reviews above quoted. She is not doing what other nations have done.

Japan is taking a country and annihilating a people that she had on many occasions recognized as worthy enough to be called independent, and whose independence and territorial integrity she recognized by treaty up to within less than four months of her pretended protectorate in 1905.

No doubt all of these treaties are well remembered, but they are again referred to for the sake of emphasis. The series of written treaties between Japan and Korea began with 1876, and the following excerpts are quoted from each:

February 26, 1876:

“Chosen (Korea) being an independent State enjoys the same sovereign rights as does Japan.”

July 14, 1894:

“I. That the independence of Korea was declared confirmed and established.”

February 23, 1904:

“Art. III. The Imperial Government of Japan definitely guarantees the independence and territorial integrity of the Korean Empire.”

The three following Treaties, dated August 22, 1904, April 1, 1905, and August 13, 1905, related to certain economic concessions which Japan asked from Korea. In those Treaties she dealt with Korea; obtained contracts from her, and can not be permitted to say that the country she dealt with and solemnly contracted with is incompetent. An individual would be estopped under such circumstances, and certainly as between nations where even a higher degree of honor is presumed to prevail as between parties in relation to the solemnity and effect of contracts, Japan would be estopped.

None of the other nations to which Kimosuke refers have ever been guilty of in one breath solemnly declaring by treaty that “it guarantees the independence and territorial integrity of a nation” and in the next taking possession of and annexing that nation; unless it was in the case of Germany overrunning Belgium, and Germany has had her punishment for that character of conduct.

But it is not alone by treaty that Japan has been compelled to recognize the equality and even the superiority of Korea. Every basic element of civilization that Japan has now she first obtained from Korea. Korea was the teacher, and now the scholar having grown a little taller, and a little more stalwart physically, asserts that he knows more than his teacher.

The records and exhibits in our National Museum at New York show that Koreans were the students and the originators of culture and civilization in the Far East. Those records show that Koreans were not only students but inventors. Suspension bridges were in use in Korea hundreds of years before our bridge engineers attempted their use. They used movable block type for printing four hundred years

before Guttenberg was born. They defeated the Japanese in a naval battle with the use of ironclads in 1597, nearly three hundred years before the battle of the Monitor and the Merrimac, and they had progressed so far in governmental affairs that they had a constitutional monarchy centuries before the Magna Charta. The world owes the discovery of gunpowder and the Mariner's Compass to Korea. And why should Korea not have all these things with her years of experience? She has been an empire for eighteen centuries before the foundation of Rome.

Of course, Japan's claim of superiority over Korea is but a cloak to shield her selfishness. In any event, having made, and making, that claim, she is subject to comparisons that are no exception to the rule that "comparisons are odious."

Koreans, following the enlightened nations and peoples of the earth, have embraced the Christian religion. Japan is a pagan nation worshipping only the Mikado.

Koreans have organized their nation into a Republic governed by the people and for the people. Japan is the last one of the autocracies.

Japan derives a revenue of \$50,000,000 from licensed vice, and Missionaries and others who are agitating against legalized vice are being persecuted, tortured and punished by the Japanese government for sedition, as interfering with their main governmental source of revenue. They hold it a crime to even protest against such practices. Before the advent of Japanese into Korea such things were unknown there.

Japanese say that the Korean government was corrupt and that they had to take possession in order to save it and protect the Korean people against the rottenness of their own government. Their first act of reform was to turn over all lands subject to reclamation to a Japanese by the name of Nazaromi, giving him a monopoly for fifty years without any money payment and without taxes for five years. In the process of reclamation Nazaromi was permitted to divert or dam up water courses, with the result that more frequently than not he diverted water from cultivated rice fields to reclaim arid lands; then when the former cultivated area became worthless from lack of water and was abandoned by its Korean owners, Nazaromi claims that land and recovers it for himself and his grafting associates by returning the water course to its original channel. We find nothing so bold and bald faced as that even in the extravagant claims made by Japanese of Korean corruption.

One Japanese writer goes to the extent of analyzing the Korean

budget during the reign of the late Emperor. He points out that the Pension Department, corresponding to our War Risk Insurance Department, was using too much money for overhead in proportion to the amount expended for pensions and benefits. He complains because \$5,000,000 had been devoted to the Army and \$450,000 to the support of the Navy, and says that these amounts were excessive. We hear complaints of that character against western governments. Whether or not they are well founded depends upon circumstances and conditions, upon which the judgment of individuals differ.

To pursue this line of inquiry further is tiresome and monotonous. It could be continued indefinitely. The fabric of Japanese claims that she has annexed Korea for Korean's good is too flimsy. It falls apart of its own weight. Japanese assumption of superiority and altruistic purposes compels us to make these observations and comparisons.

She is throwing stones from a glass house through whose walls we see, in her own country, the lowest depths of poverty, squalor and vice. What more of wretchedness, oppression and ignorance can we find or see in any country than is described by travelers in Japan who have really seen and written about the common people?

To speak of the personal misfortunes and deficiencies of others is never pleasant, but the Japanese have themselves raised the issue by their claimed superiority, and so it must be said, if we are to judge impartially, that because of this dense ignorance, depravity and servility of the great mass of the Japanese people, the Koreans are better able to govern themselves than are the Japanese.

The Koreans average better taken as a whole. The Japanese have well educated and cultivated gentlemen in their upper classes, but they are few in proportion to the whole mass of people.

Very few Koreans are not able to read and write their own language. The percentage of illiteracy is much less than in any other Oriental country. Of course, it must be admitted there is a reason for this. They have been wiser and more progressive than we have in some respects. It is easier to learn to read and write their language than ours.

The twenty-four distinct sounds in the Korean language are represented by twenty-four distinct letters and they spell phonetically, so that if you learn to speak and learn the twenty-four characters, you do not need to learn to spell, as we do. The letters are made up of straight lines and angles, a good deal on the principle of the shorthand base for stenography, so that the manual effort of writing a letter or word is much less than with us.

The thoughtful and studious characteristics of the Korean people have given rise to the charge by Japanese that they are lazy and shiftless. There are lazy people in all nationalities, but it has always been found that the remedy, the sure cure, is incentive, and what incentive have the Japanese given Koreans, even if their charge be true.

In reading books on Korean history, and there are plenty of them written in the English language, we wonder how Japan can have the temerity to make the claims she does, or why we even pause to entertain them.

Korea, by superior diplomacy, courage and fighting qualities, got along very nicely, and protected herself from the great Russian Bear on the north, the Chinese dragon on the west and the Japanese Samuri on the east, up to the time that the so-called Western Powers stepped in by Treaties of Amity and Commerce and offered their "protection." She maintained her independence in any event.

Having made these Treaties, the first one with the United States in 1882, and others following shortly with England, France, Russia, Germany, Austria, Belgium and the Netherlands, she naturally fell to relying upon them, and possibly she relaxed her own efforts at self protection. Each Treaty as it was made provided that the high contracting party would protect Korea against oppression. Korea was trustful. She believed those treaties were solemn compacts by countries claiming high sense of honor in the fulfillment of obligations.

During this period of relaxation by Korea because of these Treaties with the Western Powers, Japan comes in and literally, step by step, takes possession of Korea, at each step protesting to the "Powers" that she has no ulterior motive. A sample of the assurances given by Japan to the Powers is contained in the communication from K. Takahira dated August 30, 1904, addressed to Mr. Adee of our State Department, in which the Japanese Minister says:

"In communicating this agreement to the Government of the United States—I am further directed to say that the agreement does not in anywise interfere with the full operation or validity of Korea's existing treaties."

On September 19, 1907, the American Charge d'Affaires at Tokyo, Mr. H. Percival Dodge, sent to the State Department a summary from the Japan Times of a speech delivered by Marquis Ito at a banquet given to him by the House of Peers. The following is quoted from Mr. Dodge's translation:

"The Marquis was emphatic in pronouncing all annexation talk as absurd. The new agreement furnished a streak of hope

and led by it he was striving for the permanency of the Yi dynasty (Korean royal family) and the preservation of Korea.”

So Korea was lulled into security, and the Powers were lulled into the belief that Japan had no ulterior motive until the time came when Korea had wholly relaxed her vigilance, had disbanded her army, and relied wholly upon Treaty obligations and their ultimate protection; then Japan coming out boldly, announced the final and complete annexation of Korea to Japan.

It is not the purpose of this brief to cover the same ground that has already been covered by the writer in the Statement and Brief for Korea that was filed before the Foreign Relations Committee of the United States Senate, so that Japan's specific acts of encroachment and final seizure, Korea's protests to the Powers, the barbarities and brutalities to which Koreans have been subjected, the people's movement for restored independence after the murder of the Queen and the old Emperor by Japanese, and the ruthless and horrible methods used by the Japanese military to suppress that movement, have not been covered in this brief. Those of you who have not read that brief and statement, printed in the Congressional Record of September 19, 1919, will find a reprint of it attached hereto as Appendix "A," and we hope it will be examined as a part of the whole case for Korea.

Respectfully submitted,

FRED A. DOLPH,
Counsellor to the Republic of Korea.

Congressional Record.

SIXTY-SIXTH CONGRESS, FIRST SESSION.

The Korean Question.

STATEMENT AND BRIEF

FOR THE

REPUBLIC OF KOREA,

BY

Mr. FRED A. DOLPH,

Counsellor to the Republic of Korea.

(Printed in the CONGRESSIONAL RECORD September 19, 1919.)

THE KOREAN QUESTION.

Mr. SPENCER. Mr. President, I have had presented to me a comprehensive statement and brief in connection with the Korean situation, which, if there is no objection, I should like to have printed in the RECORD for the information of Senators and referred to the Committee on Foreign Relations.

The PRESIDENT pro tempore. Without objection, the statement will be received and printed in the RECORD and so referred.

The statement is as follows:

KOREAN QUESTION BEFORE THE FOREIGN RELATIONS COMMITTEE OF THE UNITED STATES SENATE.

[Statement and brief for the Republic of Korea, by Mr. Fred A. Dolph, counsellor to the Republic of Korea.]

"THE CHARGES AGAINST JAPAN.

"Conforming to usual procedure, we first present for Korea the 'Charges against Japan,' although in this particular matter the facts embody obvious indictments in themselves.

"We preface these charges with this statement, which we now emphasize and which we wish all who are to pass upon these matters to keep continually in mind; that Korea for over 4,000 years, prior to any steps being taken by Japan to obtain sovereignty, was an independent nation, recognized and dealt with as such by all peoples and nations of the world. She had entered into treaties of amity and commerce with the principal powers—even Japan had made such a treaty in 1876—and had open diplomatic relations with all those powers, receiving diplomatic representatives into her country and being in turn represented in foreign countries by her diplomatic agents.

"Our own United States, in 1882, made such a treaty with Korea, not only recognizing Korea as an independent nation, but by the second paragraph of article 1 of that treaty specifically and mutually agreeing with Korea as follows:

"If other powers deal unjustly or oppressively with either Government, the other will exert their good offices, on being informed of the case, to bring about an amicable arrangement, thus showing their friendly feelings."

"This was the status of Korea until 1894—undisputed, admitted, and recognized by all powers.

"Korea charges that Japan, during the period from 1894 to the present time, by successive acts of pretended friendship, cajolery, intimidation, and force of arms; using first one means and then another, and sometimes all, has obtained fraudulent possession of Korea and now claims complete sovereignty over the nation and is seeking to extinguish the lives and property rights of a race of 19,000,000 people to gratify her ambition to control first the Far East and then the world.

"Japan, in 1894, using as a means to an end the threat of Chinese encroachment upon Korea, obtained a treaty from Korea, permitting her military occupation of Korea during the period of her war with China. When that war was over, she did not remove all her troops as she had agreed to do by treaty, but instead began to bring pressure upon the King to secure all sorts of economic rights in Korea and to dominate the policies of the country.

"The Queen was vigorously protesting and using her influence to prevent this usurpation, and one night in October, 1895, at the direct instigation of the Japanese minister, Viscount Miura, Japanese entered the palace, searched until they found the terror-stricken Queen, murdered her, hacked her body into pieces, wrapped the pieces in a blanket, saturated the whole with

oil, and burned the body. The grief-stricken King shortly after that, in February, 1896, made his successful escape to the Russian Embassy.

"This was a heavy blow to the Japanese. They saw that they had lost the person of the King, which to the oriental mind, meant everything, and that methods must be devised to get the Emperor back within their power.

"Negotiations were opened up with the Russians, resulting in the agreement at Moscow and the subsequent protocol between Russia and Japan, made June 9, 1896, which recognized Korea as an independent nation and acknowledged her right to have her own armed force and police.

"Through the joint efforts of Russia and Japan, the King was induced to return to his palace and Japan agreeing to maintain only a consulate guard in Korea. Japan, for the time being, was louder and louder in her protestations of love and friendship for Korea and was ostentatiously instrumental in having the King proclaimed Emperor in order that he might be classed with the Emperor of Japan. The King was not impressed, but many of his subjects were.

"Then came the threat of Russian invasion. Due advantage of this was taken by Japanese propagandists, and in February, 1904, Korea was again induced to permit Japanese troops to occupy Korea for the purpose of repelling the Russian invasion, to remain during the war between Russia and Japan. The result of the Russian War was that in the treaty of Portsmouth, in 1905, Russia recognized 'the paramount rights of Japan in Korea.'

"Japan proceeded to exert her claimed 'paramount rights.' She remained in Korea with her troops in violation of her treaty agreements with Korea. She sought to profit by her experiences in trying to gain possession after the Chinese War, to use more positive and more aggressive means. In August, 1904, she forced Korea to consent to the appointment of official Japanese financial and diplomatic advisers, and to agree that no treaties should be made with foreign powers without her consent, and in April, 1905, she forced Korea to turn over to Japan all telephone and telegraph lines and other means of communication, and a few months later forced permission for Japanese vessels to navigate along the coast and in the inland waters of Korea.

"It was necessary, in furtherance of Japan's ambitions that Dr. Allen, the American minister to Korea, a man of the highest American type, a true and fearless believer in fair play, should be removed. He had been in Korea during the previous attempt at usurpation after the Chinese War. He knew too much. His removal was accomplished through some means, and a Mr. Morgan was appointed to his place, a man wholly unfamiliar with previous happenings.

"All of these things decided the Emperor upon an appeal to the United States for protection under the treaty of 1882. He called in his personal friend and confidant, Prof. H. B. Hulbert, an American, and intrusted him with a letter for delivery to the President, containing a recital of Japanese oppression and a protest to our Government. Prof. Hulbert's first duty as a loyal American was to inform Mr. Morgan, the American minister, of his mission, which he did, and in October, 1905, left for America to carry out the Emperor's wish.

"By some means, whether fair or foul, the Japanese learned of the object of Prof. Hulbert's visit to the United States, and from that moment they brought to bear upon Korea all the force and aggressive methods their ingenuity could devise. Finally, in desperation, they resorted to brute force. They filled the palace with armed soldiers, and, assembling the Korean ministers, without call or legal notice, demanded of them and of the Emperor that they sign a treaty giving Japan a protectorate over Korea. They refused. The prime minister was taken into a side room and with drawn sword his life was threatened. He preferred to die rather than stultify himself or betray Korea. Awed before such evidence of courage and principle, the hand of the Japanese officer was stayed, and he returned to the audience chamber with great show of sheathing his sword, saying to the other ministers, 'Now, will you sign?' Through the night long this method of intimidation was continued until finally three of the weaker members of the ministry consented.

The Emperor never did consent or sign, and to his dying day at every opportunity he protested the outrage. During the conference the Emperor managed to send word to have the great seal thrown into the lake, so that it could not be used, but the Japanese managed to secure the seal before this order could be carried out, and compelled the sealing of the alleged protectorate treaty of November 17, 1905.

"In the meantime Prof. Hulbert was speeding on his way to Washington. It was a race, with the future of Korea the stake. The so-called Treaty of Protectorate was forced on Korea almost simultaneously with his arrival in Washington, but although he immediately announced the arrival of the message, he was prevented either by circumstances or design from actually depositing the document until after Japan had announced that the treaty had been signed. Japan asserted that the treaty was entirely satisfactory to the Government and people of Korea. Her word was taken as true, and the appeal of the Emperor became simply a part of the files of the State Department. The next day Prof. Hulbert received a cable from the Emperor stating that the protectorate was invalid and that it had been obtained at the point of the sword. This was taken to the State Department by Prof. Hulbert, and it, too, became a part of the files.

"The Emperor, finding that some further appeal was necessary then set about presenting the matter to The Hague convention which was to sit in 1907. Upon Prof. Hulbert's return to Korea he was given formal commissions as envoy to the other powers, all identical in form, each reciting the fraudulent procurement of the alleged protectorate and asking for the good offices and intervention of the powers under their treaty stipulations.

"Japan was aware of these moves and successfully blocked the attempt on the part of Korea to secure a hearing at the Hague. Prof. Hulbert started on his second mission, but Japan, before he reached his destination, had forced the abdication of the Emperor in favor of his son. Prof. Hulbert's credentials being executed by the ex-Emperor, were considered nullified by his abdication, and the question of Korea's oppression was not considered by the Hague.

"The pitiful spectacle of the crowning of the new Emperor in August, 1907, amid the sullen silence of a resentful people has been repeatedly told by writers and historians. He had been non compos mentis from birth. The Japanese did all that was possible to prevent outside publicity. One writer says: 'In this they were well advised. No one who looked upon the new Emperor as he entered the hall of state, his shaking frame upborne by two officials, or as he stood later, with open mouth, fallen jaw, indifferent eyes, and face lacking even a flickering gleam of intelligent interest, could doubt that the fewer who saw this the better.'

"The first order procured by the Japanese from their puppet Emperor was an order disbanding the Korean Army. The superior officers were called to the residence of the Japanese commander, and the order read to them. They were told to assemble their men the next morning without arms and to dismiss them, and that in the meantime their arms would be secured in their absence. At least one officer committed suicide rather than execute the order. His men put up a sturdy resistance against all odds. From 8.30 in the morning until noon they fought desperately, until they were overpowered by sheer force of numbers. Thus the order was finally executed, and Korea was at Japan's mercy. All weapons were confiscated. Koreans were not allowed and are not now allowed to have arms or weapons of any kind. One butcher knife is permitted for the common use of five families, and when not in use it must be hung in a designated public place in plain view of Japanese police and gendarmes.

"With the crowning of the puppet Emperor Japan's control of Korea became absolute, but the watchful care of an idiot Emperor and the buying of toys and baubles became irksome to the aggressive Japanese, and in 1910, they came out openly and boldly with a proclamation of annexation.

"The old Emperor lived until January 24 of this year, always with the hope that he might do something to restore Korea to her place among nations and to gain freedom for his people. His last act was to gather up his few trinkets of jewelry to defray the expense of a delegation to the peace conference at Paris to present Korea's claims. The Japanese learned of this, and he suddenly died. Japan reported that he died of apoplexy. Other stories, fully as authentic and probable, are that he was murdered, that he committed suicide, and that he died of despair and a broken heart. The world may never know how he died, but when death did come he still had the love, sympathy, and trust of his people.

"This deprivation of the inherent right to self-government and our much talked of principle of self-determination is sufficient to make us pause and then act. If Japanese control had

been humane and coupled with unselfish, sincere motives the principle of self-determination would even still hold true. But Japanese control has been distinctly bad, inhumane, and selfish. Koreans have been taxed to the limit. Their lands have been confiscated in favor of Japanese individuals and a Japanese controlled and chartered exploitation company. Japanese has been imposed upon the Koreans as the national language. Koreans are not given educational privileges. Their banks have been forced to consolidate with a Japanese controlled central bank. Unconscionable regulations are imposed upon Korean merchants and tradesmen. Their mines and forests have been confiscated. Police regulations are intolerable. There is said to be a policeman or gendarme for every five families. Koreans must tell where they want to go and why, and well-to-do Koreans must employ a Japanese butler, who regulates what they should buy and where. All news to the outside world is censored. Korean papers have been suppressed and ancient Korean historical records destroyed.

"The administration expense of such a government is enormous. This is defrayed wholly by a tax against Korea, with no representation whatever, of over 18 per cent of the gross income from all sources. License fees from infamous pursuits, not before permitted in Korea, and revenues derived by Japan from the opium traffic, all of which she fosters and protects in Korea, are retained by Japan as her profits.

"It is not the purpose of this preliminary statement of the charges against Japan, however, to go into every detail of oppression and injustice. Those details, with evidentiary facts and proofs, will follow. It is sufficient if we here show violations of inherent rights. The details are but evidence of those violations.

"It is obvious that all of these acts of barbarity and oppression could not pass by without substantial resentment. There were many uprisings and much bloodshed, held in check more or less by the fact that the old Emperor was still alive. There were factions that feared injury to the old Emperor, whom they loved and respected with an adoration that is only possible with the oriental's inborn respect for ancestry and tradition. His death loosed all these ties, and, with a unanimity and organizing ability that has astonished the world, Koreans rose up with one voice for 19,000,000 people and proclaimed their restored independence on March 1, 1919, adopted their constitution along lines similar to ours, elected their officers, and announced to the world that there was the Republic of Korea.

"You already have before you the indisputable evidence of the ruthless manner in which Japan handled this uprising. It is all that can be expected of a militaristic government. Hundreds met horrible and brutal death, thousands were imprisoned, women were outraged, and all the brutalities and atrocities in Belgium were repeated again and again.

"These are Korea's 'Charges against Japan.' They are, necessarily, but an outline. All can not be told within the limits of one volume and by one man, and we must stop in order that we may within reasonable space give your committee the evidentiary proofs of these conditions.

"FACTS—DESCRIPTIVE DATA.

"The matters which we submit to the committee require a full statement of the political history of Korea and the political aspects of the Korean question.

"Data as to population, economic values, and resources are not technically involved in the principles for decision. At the same time this information is of interest because it bears upon the importance of the question, and as so little is known in the West about Korea of the Far East we digress for a brief reference to descriptive data.

"LOCATION, AREA, AND POPULATION.

"Korea is in about the same latitude and has about the same area and climate as New York and Pennsylvania combined, and is more densely populated by about one-half. To be exact, the latitude is north 33° to 42°, and the area is 84,173 square miles, including mainland, in the form of a peninsula about the shape of Florida and certain coast-lying islands. When the last census was taken in 1915 there were about 1.8 per cent Japanese. The total population was 16,278,389, divided between Japanese 303,659, Koreans 15,957,630, and foreigners 17,100. At the present time the Japanese population has probably increased to 3 per cent of the whole, and the population is now about 19,000,000.

"RESOURCES AND COMMERCE.

"The principal productions are from agriculture, mining, and fisheries. Very little manufacturing is done, and all resources and commerce are controlled by Japanese. They reported in 1917 that the total reached about 336,000,000 yen, or about \$168,000,000. Of this amount about 75,000,000 yen, or \$37,500,000, was exported. The imports were 57,000,000 yen, or \$28,500,000.

"The Japanese percentage of foreign commerce, as they report, was about 73 per cent, the United States about 6 per cent. There is an unexplained discrepancy in the Japanese reports which would raise their percentage considerably. For instance, while they only report exports as 75,000,000 yen, yet in another part of their report they give the agricultural production as 300,000,000 yen, coupled with the statement that 70 per cent of that production was exported, which would be 210,000,000 yen, or 135,000,000 yen in excess of the entire total reported. Undoubtedly the Japanese percentage of exports and imports is nearer 95 per cent of the whole than the 73 per cent which they admit.

"AGRICULTURE.

"According to Japanese reports of 1917, about 80 per cent of the population was engaged in agricultural pursuits, and 15 per cent of the whole area of the country was under cultivation. This cultivated area would represent 8,080,640 acres, which they report produce 300,000,000 yen, or about \$150,000,000, averaging \$17.50 per acre.

"The principal products reported as to volume are, in the order named: Rice, wheat, barley, beans, millet, potatoes, sweet potatoes, cotton, cocoons, and cattle. Opium, ginseng, medicinal herbs, and the like are not reported.

"A Japanese exploitation company, chartered as the Oriental Development Co., seems to dominate the agricultural development and products of the country. It owns outright, according to its own reports, 73,382 cho—a cho being in the neighborhood of 2½ acres; this means 281 square miles, or 179,840 acres. It received, according to its statements, as rentals from this land a total of 1,688,000 yen, an average of \$4.60 per acre.

"It will be noted that, while the Japanese were only 1.8 per cent of the whole population, this one exploitation company alone, Japanese controlled, owns 2.2 per cent of all of the tillable land. Data is not obtainable as to the amount of land owned by Japanese individuals, in addition to the holdings of this one Japanese corporation, but it is very evident that the Japanese are absorbing and confiscating all lands, and will eventually own all of the agricultural lands in Korea.

"An agricultural product that is not reported, for obvious reasons, is opium. Thousands of acres of poppy fields are cultivated under regulations which require the output to be delivered to the Japanese Government. How this branch of industry is fostered and encouraged by the Japanese is explained by William R. Giles in an article entitled, 'Korean poppies growing opium for Japanese,' published in the Buffalo Commercial July 1, 1919.

"MINING.

"The total mineral production as reported by the Japanese for 1916 was 20,830,000 yen—\$10,415,000—consisting of gold and silver, \$9,500,000; hard coal, \$400,000; iron, \$200,000; tungsten and copper, \$150,000 each; and mica and miscellaneous ores, \$15,000. The most successful gold-mining operations in Korea have been carried on by American corporations, but since the pretended annexation of Korea by Japan mining laws have been enacted and enforced prohibiting foreigners from securing any new concessions, and the status of the existing American concessions is at least precarious.

"Korea is very rich in natural mineral resources. The gold deposits are compared with those of Colorado; the anthracite coal fields to those of Pennsylvania; the iron deposits to those of Michigan; and the copper deposits to those of Montana. A recent news dispatch announcing the formation of a Japanese steel corporation, capitalized at \$75,000,000, to get its iron ore from Korea seems to bear out these claims so far as iron ore and coal is concerned.

"FISHERIES.

"The Japanese report for 1916 gives the annual value of the fishery product at \$7,975,000. Ten thousand six hundred Japanese boats earned \$3,995,000, while it took, according to the Japanese reports, 34,000 Korean boats to earn an equal amount. This is evidently another instance of Japanese favoritism to Japanese and oppression of Koreans.

"RAILROADS.

"There are 1,066 miles of railroads in Korea earning a gross of about \$4,000 per mile, divided 51 per cent freight and 49 per cent passenger. The total train-mileage operated in 1916 was 3,964,409 miles.

"The electric lines and tramways have a mileage of 84.4 and earned in 1916 572,465 yen with an operating expense of 301,726 yen, producing a net of 270,739 yen; about \$135,000 on an investment of approximately \$2,000,000.

"NAVIGATION.

"There are 19 lines of unsubsidized boats served with 5,491 vessels, not steamers, with a total tonnage of 55,000, and 154

steamers with a total tonnage of 40,000. There are 14 routes subsidized served by 1 ocean-going steamer, 22 coastwise boats, and 134 river boats.

"BANKS.

"The whole banking system is practically centralized into the Bank of Chosen, Japanese controlled, and a report from that bank in 1916 shows deposits of about \$17,000,000; loans, about \$15,000,000; discounts, about \$13,000,000; and bank notes issued, \$47,000,000. In addition to the above, the postal savings deposits were shown as around \$5,000,000. The average deposit being about \$5.

"POSTAL SERVICE.

"The postal service collected 89,000,000 pieces of ordinary mail and distributed 97,000,000; collected 1,300,000 parcels and delivered 1,500,000. The receipts were about \$23,475,000 and the expenditures about \$100,000 less.

"SCHOOLS.

"The 19,000,000 of Koreans are provided with but 526 schools with 87,000 pupils, or 1 pupil to every 220 of the population. This is less than five-tenths of 1 per cent. The 300,000 of Japanese are provided with 367 schools with 37,000 pupils, or 1 in every 8 of the population, a ratio of 12 per cent.

"CHURCHES.

"The Christians have 3,164 churches, the Buddhist 258, and the Shinto 65. There are 6,690 Christian ministers, 313 Buddhist priests, and 103 Shinto priests.

"FACTS—JAPANESE ADMINISTRATIVE GOVERNMENT.

"TAXES.

"Koreans have no vote, no representation, and no voice in the Government in any manner, shape, or form. The Japanese budget for administrative expenses for Korea for 1917 was 62,539,309 yen (\$31,290,000). The resources of the country—that is, the earnings, so to speak—are reported at 336,000,000 yen (\$168,000,000). The Korean therefore pays 18½ per cent of gross earnings and income to Japan for taxes, without any voice or representation.

"The largest item in this 1917 budget is for public undertakings, highways, harbors, etc., 20,802,634 yen (\$10,400,000). This is used to improve public roads and harbors; obviously to improve Korea as a military base.

"The next highest item, and one out of all proportion with expenditures for like purposes in other countries, is 6,965,499 yen (\$3,480,000) for courts and police. This is made necessary by the rigid and exacting police regulations. There is said to be a policeman or gendarme for every five families. The comings and goings of every Korean are registered. The most rigid censorship of news and communication is maintained. There is constant search for concealed weapons. Freedom of speech is denied and is prevented by the police. Household expenses are supervised. The most vigilant watch is kept over every act.

"In strong contrast to these two exorbitant items is the lowest item on the entire list, about \$150,000 for the Korean schools. It is impossible to imagine the education Koreans must get at the rate of 7 cents per annum per capita.

"FORM OF GOVERNMENT.

"The Imperial edict of Japan, dated August 29, 1910, provides:

"We order the establishment of the office of governor general of Korea. The governor general will, under our direction, exercise the command of the army and navy, and a general control over all administrative functions of Korea.

"Imperial ordinance No. 354, dated October 20, 1910, follows this edict, detailing the government for Korea. Article 2 provides that the governor general shall be appointed from the Shin-nin rank, and shall be either a general or an admiral; article 3 that he shall be directly responsible to the Emperor; article 4 that he shall issue ordinances, the violation of which may be punished with penal servitude or imprisonment not exceeding one year, detention, or a fine of not exceeding 200 yen; and by article 5 he is given authority to abrogate all orders and regulations promulgated by those under him.

"Article 9 creates five departments—General affairs; home affairs; finance; agriculture, commerce, and industry; and the department of justice. By article 2 the governor general is given the following officials: Five departmental directors of the Chokunin rank, nine bureau chiefs of the Choku-nin or So-nin rank, and the following officials of the So-nin rank: Two counselors, 19 secretaries, 19 assistant secretaries, 30 technical experts, 6 interpreters, and 367 officials of the Nan-nin rank. By article 20 two military attachés are provided for and one adjutant. The attachés to be major generals or rear admirals. The adjutant to be an officer below the rank of major general and rear admiral.

" COURTS.

"Imperial edict is that all judges and clerks of courts must be Japanese subjects, and in practical conduct of the courts only Japanese lawyers are recognized or permitted to practice.

"No bail is allowed in criminal cases. Habeas corpus is not known, and the fundamental rule that a man is presumed to be innocent until he is proven guilty is actually reversed. In Korea he is presumed to be guilty and must prove his innocence.

"The Korean arrested without notice, lodged in jail, given no opportunity to communicate with friends, represented—if he has any lawyer—by a Japanese who detests his client, before a Japanese judge may be innocent, but his conviction is certain.

"On page 128 of Japan's report on 'Reforms and Progress in Korea,' for 1916-17 is found the statement that out of 82,121 offenders arrested, 30 proved their innocence. It is beyond comprehension that only one man arrested out of every 2,500 was found to be innocent; yet this is what the Japanese say happened by their own record. Of course it is ridiculous and impossible. Thousands of Koreans, innocent of the charges made against them, are wrongfully convicted.

"It would make no difference with the result whether the accused was Korean or American. The percentages against him would be the same. The American would have the same 2,500 to 1 chance to lose that the Korean had. This is illustrated by the Mowry and Bell cases that were the subject of the resolution recently introduced by Senator HOKE SMITH.

"The Japanese reports show another practice that shocks the sense of justice, appalling and unbelievable. Yet there it is in black and white in Japan's own report. An exhibition of absolute lack of moral sense. Referred by to them as a great thing they have accomplished—a great efficiency they have shown. They say they are able to convict a majority of the criminals arrested, without a trial and that thereby they have saved the courts the expense of a trial. Great efficiency! The following are the actual figures reported:

"In 1913 there were 21,483 convictions without a trial out of 36,953.

"In 1914 there were 32,333 convictions without a trial out of 48,763.

"In 1915 there were 41,236 convictions without a trial out of 59,436.

"In 1916 there were 56,013 convictions without a trial out of 81,139.

"The acquittals in those years above tabulated, respectively, were 800, 93, 47, and 30. The total arrests increased each year, but the acquittals decreased in number each year. How come? These convictions involved not only sentences imposing fines but imprisonment at hard labor and flogging.

"No data is available as to civil procedure in the courts, but it is only fair to assume that the same measure of injustice was meted out.

" COMMERCE.

"As a matter of special interest to American exporters and importers, let us call attention to the fact that in the declaration of annexation communicated to the powers by Japan on August 29, 1910, that the existing schedule of customs duties expires with August 29, 1920, by article 2 of that declaration, and that by article 3 the 'open door' for vessels under the flags of other powers expires on the same date.

" MINING.

"We quote the following from the Japanese report of 1916, section 75, entitled 'Mining.'

"As alluded to in the annual report for 1915, the mining ordinance was promulgated in December, 1915, to replace the old mining regulations. The main points of change are (1) the prohibition of foreigners from acquiring new mining permits in Chosen, except in the case of a corporation organized by foreigners as a Japanese legal being. Those applications for mining permits filed with the authorities by foreigners according to the old regulations, and not granted by the time of the enforcement of the new regulations, have all been rejected.

"The minister of agriculture, commerce, and industry is the sole authority on all mining matters, subject only to the orders of the governor general, as shown by the following articles of the mining law:

"ART. 7. The minister of agriculture, commerce, and industry shall have the power to *refuse permission* for mining, in case he considers such a step to be necessary in the public interest or for any other reason.

"ART. 11. In case the holder of a mining right does not carry on operations properly or when his method of work is considered to involve danger or to be injurious to public interests, the minister of agriculture, commerce, and industry shall order

the required improvement or precautionary measures or the suspension of operations.

"ART. 12. The minister of agriculture, commerce, and industry may revoke the permission to carry on mining operations in the following cases:

"A. When it is discovered that the permission was obtained by fraudulent means or granted by mistake.

"B. When work has been stopped for one year or upward without adequate reason or when work has not been commenced within one year from the date when permission was obtained.

"C. When the order mentioned in the second clause of article 9 or that mentioned in article 11 has not been obeyed.

"D. When the mining operations are considered to be injurious to public interests.

"E. When the land to be used for mining operations has been utilized for some other purpose.

"F. When the royalty or ground tax has not been paid within the specified period.

"G. When the holder of a mining right mentioned in the third clause of article 25 has not paid the contributions within the specified period.

"H. When a fine has not been paid within the specified period."

"Can we, by any stretch of imagination, conceive of a Korean obtaining a permit or of holding on to one he had obtained previously in the face of powers given a Japanese minister of the Choku-nin rank as above quoted, especially those italicized. By the same token are not American concessions already obtained and being operated upon with hundreds of thousands of dollars invested endangered by the provisions of article 12 and clauses 'D' and 'E' of article 12? Their rights are in the hands of this Japanese minister. He can easily find an excuse under those provisions to revoke the permit or to suspend operations.

" BANKS.

"On July 26, 1909, an order was made providing for the establishment of a central bank 'to perform such functions as pertain to the central financial medium in Korea and to deal in addition with the money of the Japanese treasury, if so requested by the Bank of Japan.' This central bank was to take over the redemption of the bank notes issued by a Japanese stock company, and the principal officers were to be appointed from among the Japanese. The Government of Korea was to guarantee a dividend of 6 per cent on the shares for a period of five years.

"This was before the alleged annexation, and after the annexation was asserted by Japan by law No. 48, promulgated March, 1911, the Bank of Chosen was chartered, and it became the bank for Korea. This bank was capitalized at 10,000,000 yen, of which Japan took 3,000,000 yen, and none but Japanese subjects were permitted to take the balance. The governor general of Korea appoints the directors and the governor of the bank is appointed by the Japanese Government. The bank may, with the sanction of the governor general, appoint agencies and correspondents and establish branch banks, and must appoint such as he designates on his own initiative, and the governor general has the power to suspend the bank at his discretion.

"The bank's report made in 1916 shows that it then had outstanding bank notes to the amount of \$46,240,000, which was largely in excess of the deposits and the capital stock. Its condition was such that our comptroller, if the bank was within his jurisdiction, would be derelict in his duty if he did not close the doors. Yet it is in such a bank that the Korean must deposit his savings, and through which he must arrange his financial transactions.

" PERSONAL LIBERTY.

"We have already referred to the curtailment of personal liberty of the Koreans by the police and the courts while in Korea. Koreans outside of Korea can not return to their native land. Passports will not be issued without being viséed by Japanese consuls. Japanese consuls will not visé the passports unless the applicant will take an oath of allegiance to Japan. It is, of course, impossible for a loyal, conscientious Korean to take that oath.

"Koreans can not leave Korea for any purpose, even for educational purposes, except that permissions are given students to go to Japan. These permissions, however, are very rare, and the rule is not to permit the Korean to attend school above a certain prescribed elementary grade.

" FACTS—TREATIES.

"We have compiled all of the treaties and conventions affecting the political status of Korea, including those between Japan and Korea and between Japan and other countries, which relate to Korea, beginning with 1876, and present the relevant extracts from them serialim.

"FEBRUARY 20, 1876—KOREA AND JAPAN.

"Article 1.

"Chosen being an independent State enjoys the same sovereign rights as does Japan.

"In order to prove the sincerity of the friendship existing between the two nations, their intercourse shall henceforth be carried on in terms of equality and courtesy, each avoiding the giving of offense by arrogance or manifestations of suspicion.

"Article 7.

"The coasts of Chosen having hitherto been left unsurveyed are very dangerous for vessels approaching them, and in order to prepare charts showing the positions of islands, rocks, and reefs, as well as the depth of water whereby all navigators may be enabled to pass between the two countries, any Japanese mariners may freely survey said coasts.

"NOTE.—Other covenants and provisions of treaty are the usual diplomatic provisions as to exchange of envoys, treatment of subject, etc.

"AUGUST 24, 1876—KOREA WITH JAPAN.

"Makes Fusan and two other ports open to Japanese trade, including certain territory contiguous to each port.

"MAY 22, 1882—KOREA WITH THE UNITED STATES.

"Article 1.

"There shall be perpetual peace and friendship between the President of the United States and the King of Chosen and the citizens and subjects of their respective Governments.

"If other powers deal unjustly or oppressively with either Government, the other will exert their good offices, on being informed of the case, to bring about an amicable arrangement, thus showing their friendly feelings.

"Article 11.

"After the conclusion of this treaty of amity and commerce the high contracting powers may each appoint diplomatic representatives to reside at the court of the other, and may each appoint consular representatives at the ports of the other which are open to foreign commerce, at their own convenience."

"This treaty was ratified by the Senate and signed by President Arthur and Secretary of State Frederick T. Frelinghuysen on June 4, 1883. It had been previously signed on the first date given by Commodore R. W. Shufeldt.

"NOVEMBER 26, 1883—KOREA WITH GREAT BRITAIN.

"Article 1.

"1. There shall be perpetual peace and friendship between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, her heirs and successors, and His Majesty the King of Korea, his heirs and successors, and between their respective dominions and subjects, who shall enjoy full security and protection for their persons and property within the dominions of the other.

"2. In case of differences arising between one of the high contracting parties and a third power, the other high contracting party, if requested to do so, shall exert its good offices to bring about an amicable arrangement.

"Article 11.

"1. The high contracting parties may each appoint a diplomatic representative to reside permanently or temporarily at the capital of the other, and may appoint a consul general, consuls, or vice consuls, to reside at any or all of the ports or places of the other which are open to foreign commerce.

"JUNE 26, 1884—KOREA WITH ITALY.

"Article 1.

"There shall be perpetual peace and friendship between His Majesty the King of Italy, his heirs and successors, and His Majesty the King of Korea, his heirs and successors, and between their respective dominions and subjects, who shall enjoy full security and protection for their persons and property within the dominions of the other.

"2. In case of differences arising between one of the high contracting parties and a third power, the other high contracting party, if requested to do so, shall exert its good offices to bring about an amicable arrangement.

"Article 11.

"1. The high contracting parties may each appoint a diplomatic representative to reside permanently or temporarily at the capital of the other, and may appoint a consul general, consuls, or vice consuls to reside at any or all of the ports or places of the other which are open to foreign commerce; and whenever they shall not deem it necessary to send a consul of their own country to any of the aforesaid ports or places, they may intrust some consul of a friendly power with the duties of Italian or Korean consul.

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"APRIL 18, 1885—CHINA AND JAPAN.

"It is hereby agreed that China shall withdraw her troops now stationed in Korea, and that Japan shall withdraw hers stationed therein for the protection of her legation. The specific term for effecting the same shall be four months commencing from the date of the signing and sealing of this convention, within which term they shall respectively accomplish the withdrawal of the whole number of each of their troops in order to avoid effectively any complications between the respective countries. The Chinese troops shall embark from Masampo and the Japanese from the port of Ninsen.

"The said respective powers mutually agree to invite the King of Korea to instruct and drill a sufficient armed force that she may herself assure her public security, and to invite him to engage into his service an officer or officers from amongst those of a third power, who shall be intrusted with the instruction of the said force. The respective powers also bind themselves each to the other, henceforth not to send any of their own officers to Korea for the purpose of giving said instruction.

"In case of any disturbance of a grave nature occurring in Korea which necessitates the respective countries, or either of them, to send troops to Korea, it is hereby understood that they shall give, each to the other, previous notice in writing of their intention so to do, and that after the matter is settled they shall withdraw their troops and not further station them there.

"JUNE 4, 1888—KOREA WITH FRANCE.

"Articles 1 and 2 are identical with the same articles in the treaty with Great Britain.

"JULY 14, 1894—KOREA WITH JAPAN.

"1. That the independence of Korea was declared, confirmed, and established, and in keeping with it the Chinese troops were to be driven out of the country.

"2. That while war against China was being carried on by Japan, Korea was to facilitate the movements and to help in the food supplies of the Japanese troops in every possible way.

"3. That this treaty should only last until the conclusion of peace with China.

"APRIL 1, 1895—CHINA WITH JAPAN (SHIMONOSEKI).

"China recognizes definitely the full and complete independence and autonomy of Korea, and in consequence the payment of tribute and the performance of ceremonies and formalities by Korea to China in derogation of such independence and autonomy shall wholly cease for the future."

"MAY 14, 1896—RUSSIA WITH JAPAN.

"I. While leaving the matter to His Majesty's, the King of Korea, return to the palace entirely to his own discretion and judgment, the representatives of Russia and Japan will in a friendly way advise His Majesty to return to that place, when no doubts concerning his safety there could be entertained.

"II. The Japanese representative, on his part, gives the assurance that the most complete and effective measures will be taken for the control of Japanese soshi.

"III. The representative of Russia quite agrees with the representative of Japan that, at the present state of affairs in Korea, it may be necessary to have Japanese guards stationed at some place for the protection of the Japanese telegraph line between Fusan and Seoul, and that these guards, now consisting of three companies of soldiers, should be withdrawn as soon as possible and replaced by gendarmes, who will be distributed as follows: Fifty men at Tai-ku, 50 men at Kaheung, and 10 men each at 10 intermediate posts between Fusan and Seoul. This distribution may be liable to some changes, but the total number of the gendarme force shall never exceed 200 men, who will afterwards gradually be withdrawn from such places where peace and order have been restored by the Korean Government.

"IV. For the protection of the Japanese settlements of Seoul and the open ports against possible attacks by the Korean populace, two companies of Japanese troops may be stationed at Seoul, one company at Fusan, and one at Gensan, each company not to exceed 200 men. These troops will be quartered near the settlements, and shall be withdrawn as soon as no apprehension of such attack could be entertained.

"For the protection of the Russian Legation and consulate, the Russian Government may also keep guards not exceeding the number of Japanese troops at those places, and these will be withdrawn as soon as tranquillity in the interior is completely restored.

"JUNE 9, 1896—RUSSIA WITH JAPAN.

"I. For the remedy of the financial difficulties of Korea, the Governments of Russia and Japan will advise the Korean Government to retrench all superfluous expenditure and to

establish a balance between expenses and revenues. If, in consequence of reforms deemed indispensable, it may become necessary to have recourse to foreign loans, both Governments shall, by mutual concert, give their support to Korea.

"II. The Governments of Russia and Japan shall endeavor to leave to Korea, as far as the financial and commercial situation of that country will permit, the formation and maintenance of a national armed force and police of such proportions as will be sufficient for the preservation of internal peace without foreign support.

"APRIL 25, 1898—RUSSIA WITH JAPAN.

"Baron Nishi, minister for foreign affairs of His Majesty the Emperor of Japan, and Baron Rosen, le Conseiller d'Etat actuel et Chambellan, envoy extraordinary and minister plenipotentiary of His Majesty the Emperor of all the Russias, duly authorized to that effect, have agreed upon the following articles in pursuance of article 4 of the protocol signed at Moscow on June 9 (May 28), 1896, between Marshal Marquis Yamagata and Prince Lobanow, secretary of state:

"ARTICLE I. The Imperial Governments of Japan and Russia definitely recognize the sovereignty and entire independence of Korea and mutually engage to refrain from all direct interference in the internal affairs of that country.

"ART. II. Desiring to avoid every possible cause of misunderstanding in the future, the Imperial Governments of Japan and Russia mutually engage in case Korea should apply to Japan or to Russia for advice and assistance not to take any measure in the nomination of military instructors and financial advisers without having previously come to a mutual agreement on the subject.

"ART. III. In view of the large development of Japanese commercial and industrial enterprises in Korea, as well as the considerable number of Japanese subjects resident in that country, the Imperial Russian Government will not impede the development of the commercial and industrial relations between Japan and Korea.

"SEPTEMBER 11, 1899—KOREA WITH CHINA.

"ARTICLE I. There shall be perpetual peace and friendship between the Empire of Korea and the Empire of China and between their respective subjects, who shall enjoy equally in the respective countries of the high contracting parties full protection and the advantages of favorable treatment.

"If other powers should deal unjustly or oppressively with either Government, the other, on being informed of the case, will exert their good offices to bring about an amicable arrangement, thus showing their friendly feelings.

"ART. II. After the conclusion of the treaty of amity and commerce the high contracting parties may each appoint diplomatic representatives to reside at the court of the other and may each appoint consular representatives at the ports of the other which are open to foreign commerce at their own convenience.

"JANUARY 30, 1902—JAPAN WITH GREAT BRITAIN.

"ARTICLE I. The high contracting parties, having mutually recognized the independence of China and Korea, declare themselves to be entirely uninfluenced by any aggressive tendencies in either country. Having in view, however, their special interests, of which those of Great Britain relate principally to China, while Japan, in addition to the degree, politically as well as commercially and industrially, in Korea, the high contracting parties recognize that it will be admissible for either of them to take such measures as may be indispensable in order to safeguard those interests if threatened either by the aggressive action of any other power or by disturbance arising in China or Korea and necessitating the intervention of either of the high contracting parties for the protection of the lives and property of its subjects.

"FEBRUARY 23, 1904—KOREA WITH JAPAN.

"ARTICLE I. For the purpose of maintaining a permanent and solid friendship between Japan and Korea and firmly establishing peace in the Far East, the Imperial Government of Korea shall place full confidence in the Imperial Government of Japan and adopt the advice of the latter in regard to improvements in administration.

"ART. II. The Imperial Government of Japan shall in a spirit of firm friendship insure the safety and repose of the Imperial House of Korea.

"ART. III. The Imperial Government of Japan definitely guarantee the independence and territorial integrity of the Korean Empire.

"ART. IV. In case the welfare of the Imperial House of Korea or the territorial integrity of Korea is endangered by aggression of a third power or by internal disturbance, the Imperial Government of Japan shall immediately take such necessary measures

as the circumstances require, and in such cases the Imperial Government of Korea shall give full facilities to promote the action of the Imperial Japanese Government.

"The Imperial Government of Japan may, for the attainment of the above-mentioned objects, occupy, when the circumstances require it, such places as may be necessary from strategical points of view.

"ART. V. The Government of the two countries shall not in future, without mutual consent, conclude with a third power such an arrangement as may be contrary to the principles of the present protocol.

"AUGUST 22, 1904—KOREA WITH JAPAN.

"ARTICLE I. The Korean Government shall engage a financial adviser to the Korean Government a Japanese subject commended by the Japanese Government, and all matters concerning finance shall be dealt with after his counsel has been taken.

"ART. II. The Korean Government shall engage a diplomatic adviser to the department of foreign affairs a foreigner commended by the Japanese Government, and all important matters concerning foreign relations shall be dealt with after his counsel has been taken.

"ART. III. The Korean Government shall previously consult the Japanese Government in concluding treaties and conventions with foreign powers, and in dealing with other important diplomatic affairs, such as the grant of concessions to or contracts with foreigners.

"APRIL 1, 1905—KOREA WITH JAPAN.

"ARTICLE I. The Imperial Government of Korea shall transfer and assign the control and administration of the post, telegraph, and telephone services in Korea (except the telephone service exclusively pertaining to the department of the Imperial household) to the Imperial Japanese Government.

"ART. II. The land, buildings, furnitures, instruments, machines, and all other appliances connected with the system of communications already established by the Imperial Government of Korea, shall, by virtue of the present agreement, be transferred to the control of the Imperial Japanese Government.

"ART. III. When it is deemed necessary by the Japanese Government to extend the communications system in Korea they may appropriate land and buildings belonging to the State or to private persons; the former without compensation and the latter with proper indemnification.

"ART. V. All appliances and materials which are deemed necessary by the Imperial Government of Japan for the control or the extension of the system of communications shall be exempt from all duties and imposts.

"ART. VII. In respect of the arrangement formerly entered into by the Korean Government with the Governments of foreign powers, concerning the post, telegraph, or telephone services, the Japanese Government shall, in behalf of Korea, exercise the rights and perform the obligations pertaining thereto. Should there arise in the future any necessity for concluding any new convention between the Government of Korea and the Governments of foreign powers concerning the communications services, the Japanese Government shall assume the responsibility of concluding such convention in behalf of the Korean Government.

"ART. VIII. The various conventions and agreements respecting the communications service hitherto existing between the Governments of Japan and Korea are mutually abolished or modified by the present agreement.

"—, 1905—RUSSIA WITH JAPAN (PORTSMOUTH).

"The Imperial Russian Government acknowledging that Japan possesses in Korea paramount political, military, and economical interests, engage neither to obstruct nor interfere with the measures of guidance, protection, and control which the Imperial Government of Japan may find it necessary to take in Korea.

"It is understood that Russian subjects in Korea shall be treated exactly in the same manner as the subjects or citizens of other foreign powers; that is to say, they shall be placed on the same footing as the subjects or citizens of the favored nation.

"It is also agreed that in order to avoid all cause of misunderstanding the two high contracting parties shall abstain, on the Russo-Korean frontier, from taking any military measure which may menace the security of Russian or Korean territory.

"AUGUST 13, 1905—KOREA WITH JAPAN.

"ARTICLE I. Japanese vessels shall be at liberty to navigate along the coasts, and in the inland waters of Korea, for the purpose of trade in accordance with the stipulations of the present agreement, which, however, shall not be applicable to navigation between the open ports.

"ART. VIII. When a Japanese vessel or the crew thereof infringes the stipulations of the present agreement or of other treaties, or when a member of the crew commits any crime, the Japanese consular offices shall deal with the case in accordance with the provisions of the treaties and the laws of Japan.

"SEPTEMBER 27, 1905—JAPAN WITH GREAT BRITAIN.

"(a) The consolidation and maintenance of the general peace in the regions of eastern Asia and of India;

"(b) The preservation of the common interests of all powers in China by insuring the independence and integrity of the Chinese Empire and the principle of equal opportunities for the commerce and industry of all nations in China;

"(c) The maintenance of the territorial rights of the high contracting parties in the regions of eastern Asia and of India, and the defense of their special interests in the said regions.

"ART. III. Japan possessing paramount political, military, and economic interests in Korea, Great Britain recognizes the right of Japan to take such measures of guidance, control, and protection in Korea as she may deem proper and necessary to safeguard and advance these interests, provided always that such measures are not contrary to the principle of equal opportunities for the commerce and industry of all nations.

"OCTOBER, 1905—THE KOREAN EMPEROR PROTESTS JAPANESE OPPRESSION TO UNITED STATES.

"The Emperor of Korea, being aware of the fact that in his treaty with America there was a clause in which the American Government promised to use its good offices if Korea was endangered and announced the fact to us, determined to appeal to our Government to carry out that important clause of the treaty. The following is a translation of his letter to the Washington Government:

"Ever since 1883 the United States and Korea have been in friendly treaty relations. Korea has received many proofs of the good will and the sympathy of the American Government and people. The American representatives have always shown themselves to be in sympathy with the welfare and progress of Korea. Many teachers have been sent from America who have done much for the uplift of our people.

"But we have not made the progress that we ought. This is due partly to the political machinations of foreign powers and partly to our mistakes. At the beginning of the Japan-Russia War the Japanese Government asked us to enter into an alliance with them, granting them the use of our territory, harbors, and other resources, to facilitate their naval and military operations. Japan, on her part, guaranteed to preserve the independence of Korea and the welfare and dignity of the royal house. We complied with Japan's request, loyally lived up to our obligations, and did everything that we had stipulated. By so doing we put ourselves in such a position that if Russia had won she could have seized Korea and annexed her to Russian territory on the ground that we were active allies of Japan.

"It is now apparent that Japan proposes to abrogate their part of this treaty and declare a protectorate over our country in direct contravention of her sworn promise in the agreement of 1904. There are several reasons why this should not be done.

"In the first place, Japan will stultify herself by such a direct breach of faith. It will injure her prestige as a power that proposes to work according to enlightened laws.

"In the second place, the actions of Japan in Korea during the past two years give no promise that our people will be handled in an enlightened manner. No adequate means have been provided whereby redress could be secured for wrongs perpetrated upon our people. The finances of the country have been gravely mishandled by Japan. Nothing has been done toward advancing the cause of education or justice. Every move on Japan's part has been manifestly selfish.

"The destruction of Korea's independence will work her a great injury, because it will intensify the contempt with which the Japanese people treat the Koreans and will make their acts all the more oppressive.

"We acknowledge that many reforms are needed in Korea. We are glad to have the help of Japanese advisers, and we are prepared loyally to carry out their suggestions. We recognize the mistakes of the past. It is not for ourselves we plead, but for the Korean people.

"At the beginning of the war our people gladly welcomed the Japanese, because this seemed to herald needed reforms and a general bettering of conditions, but soon it was seen that no genuine reforms were intended and the people had been deceived.

"One of the gravest evils that will follow a protectorate by Japan is that the Korean people will lose all incentive to improvement. No hope will remain that they can ever regain their independence. They need the spur of national feeling to

make them determine upon progress and to make them persevere in it. But the extinction of nationality will bring despair, and instead of working loyally and gladly in conjunction with Japan, the old-time hatred will be intensified and suspicion and animosity will result.

"It has been said that sentiment should have no place in such affairs, but we believe, sir, that sentiment is the moving force in all human affairs, and that kindness, sympathy, and generosity are still working between nations as between individuals. We beg of you to bring to bear upon this question the same breadth of mind and the same calmness of judgment that have characterized your course hitherto, and, having weighed the matter, to render us what aid you can consistently in this our time of national danger.

"(Private seal of the Emperor of Korea.)

"NOVEMBER 17, 1905—KOREA WITH JAPAN (PROTESTED AS FRAUDULENT).

"ARTICLE 1. The Government of Japan, through the department of foreign affairs at Tokyo, will hereafter have control and direction of the external relations and affairs of Korea, and the diplomatic and consular representatives of Japan will have charge of the subjects and interests of Korea in foreign countries.

"ART. 2. The Government of Japan undertake to see to the execution of the treaties actually existing between Korea and other powers, and the Government of Korea engage not to conclude hereafter any act or engagement having an international character, except through the medium of the Government of Japan.

"ART. 3. The Government of Japan shall be represented at the court of His Majesty the Emperor of Korea by a resident general, who shall reside at Seoul, primarily for the purpose of taking charge of and directing matters relating to diplomatic affairs. He shall have the right of private and personal audience of His Majesty the Emperor of Korea. The Japanese Government shall also have the right to station residents at the several open ports and such other places in Korea as they may deem necessary. Such residents shall, under the direction of the resident general, exercise the powers and functions hitherto appertaining to Japanese consuls in Korea, and shall perform such duties as may be necessary in order to carry into full effect the provisions of this agreement.

"ART. 4. The stipulation of all treaties and agreements existing between Japan and Korea not inconsistent with the provisions of this agreement shall continue in force.

"ART. 5. The Government of Japan undertake to maintain the welfare and dignity of the Imperial House of Korea.

"NOVEMBER 22, 1905—JAPANESE DECLARATION OF FOREGOING TREATY.

"The relations of propinquity have made it necessary for Japan to take and exercise, for reasons closely connected with her own safety and repose, a paramount interest and influence in the political and military affairs of Korea. The measures hitherto taken have been purely advisory, but the experience of recent years has demonstrated the insufficiency of measures of guidance alone. The unwise and improvident action of Korea, more especially in the domain of her international concerns, has in the past been the most fruitful source of complications. To permit the present unsatisfactory condition of things to continue unrestrained and unregulated would be to invite fresh difficulties, and Japan believes that she owes it to herself and to her desire for the general pacification of the extreme East to take the steps necessary to put an end once and for all to this dangerous situation. Accordingly, with that object in view and in order at the same time to safeguard their own position and to promote the well-being of the Government and people of Korea, the Imperial Government have resolved to assume a more intimate and direct influence and responsibility than heretofore in the external relations of the Peninsula. The Government of His Majesty the Emperor of Korea are in accord with the Imperial Government as to the absolute necessity of the measure, and the two Governments, in order to provide for the peaceful and amicable establishment of the new order of things, have concluded the accompanying compact. In bringing this agreement to the notice of the powers having treaties with Korea, the Imperial Government declare that in assuming charge of the foreign relations of Korea and undertaking the duty of watching over the execution of the existing treaties of that country, they will see that those treaties are maintained and respected, and they also engage not to prejudice in any way the legitimate commercial and industrial interests of those powers in Korea."

"NOVEMBER 25, 1905—UNITED STATES RECEIVES KOREAN PROTEST.

"See receipt therefor from Secretary of State, which appears on page 4195 of CONGRESSIONAL RECORD of August 18, 1919.

" NOVEMBER 26, 1905—KOREAN EMPEROR CABLES PROTEST TO UNITED STATES.

" See page 4195 of CONGRESSIONAL RECORD of August 18, 1919, containing following copy of cablegram delivered to the State Department:

" I declare that the so-called treaty of protectorate recently concluded between Korea and Japan was extorted at the point of the sword and under duress, and therefore is null and void. I never consented to it and never will. Transmit to American Government.

" THE EMPEROR OF KOREA.

" JUNE 22, 1906—EMPEROR OF KOREA APPOINTS SPECIAL ENVOY TO POWERS TO PROTEST JAPANESE ACTION.

" "By virtue of the power vested in us as the Emperor of Korea, and in accordance with the right granted us in the treaties between Korea and the various friendly powers, we hereby constitute and appoint Homer B. Hulbert as our special envoy to the Governments of the United States, Great Britain, France, Germany, Russia, Austria-Hungary, Italy, Belgium, and China; and we hereby delegate to him full authority to represent our interests and those of the Korean Empire at the seat of each of these Governments.

" "In consonance with this we have instructed him to deliver to each of these Governments a document relative to the present political situation in Korea and to take such steps as may lead to the peaceful settlement of the difficulties which have arisen between our Government and that of Japan.

" "We hereby give him special authority to secure the adjustment of the matter before the peace conference at The Hague.

" "In witness whereof we here affix the imperial seal.

" "Done in Seoul this 22d day of June, A. D. 1906, and of the dynasty the five hundred and fifteenth year."

" JUNE 22, 1906—EMPEROR EXECUTES FORMAL APPEAL TO GREAT BRITAIN, FRANCE, BELGIUM, ITALY, CHINA, GERMANY, AND AUSTRIA.

" All identical in form with following, directed to the King of England:

" "For many years the Government of Korea has been in friendly treaty relations with the Government of Great Britain, and has often received evidences of the good will of that power. In this time of our difficulty we feel sure that all people who desire to see justice done will sympathize with us. In order to show that great injustice has been done us we hereby declare that the so-called treaty of November 18, 1905, was fraudulent, because (1) the signatures of certain members of our cabinet were obtained by intimidation and under duress, (2) we never authorized the cabinet to sign the document, and (3) the meeting of the cabinet at which it was signed was illegal, having been convened neither at our call nor that of the prime minister, but by the Japanese themselves.

" "We denounce that document as invalid in law, and we declare that under no circumstances will we voluntarily consent to the ratification of any instrument which impairs the independence of the Korean Empire.

" "Furthermore, in view of the violent manner in which the so-called treaty of last November was carried through, we deem it necessary and proper to declare to you that if at any future time any power shall claim to have obtained our consent to such an agreement that claim will either be wholly false or will be based upon acts wrong from us by force of arms or under threats of personal violence.

" "In view of the fact that we are at the present time de jure an independent power and nation, we request you to reassert your right to establish a legation at Seoul, or at least to prepare for such establishment by helping us to bring the matter before The Hague tribunal, in order that our legal and just claim to independence may be legally established.

" "Any further information that may be desired will be given by our fully accredited envoy, at whose hand we are transmitting this document."

" JULY 19, 1907—OLD EMPEROR ABDICATES.

" "Let heaven hear. For over 40 years we have followed the work of our illustrious ancestors. Many troubles have come to us, and events have gone opposite to what we desired. Perhaps we have not always selected the best men for the national posts. Disturbances have constantly grown more acute, and all efforts to remedy them have generally failed. Difficulties have become pressing, and never has the distress among our people, or the heavy work of governing them, been so harassing as now. We are in fear and trepidation, and we feel as though walking on ice covering deep water. Occupants of our throne have become weary of their duty before us, and have resorted to abdication. We hereby hand over to the Crown Prince the task of administering the great affairs of state, and order the bureau of ceremony of the imperial household to carry out the details thereof."

" The following account is given by a writer of Current History of the coronation of the new Emperor, said to be a non compos mentis (see The Tragedy of Korea, pp. 163 and 164):

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" "The new Emperor of Korea was crowned amid the sullen silence of a resentful people. Of popular enthusiasm there was none. A few flags were displayed in the streets by the order of the police. In olden times a coronation had been marked by great festivities, lasting many weeks. Now there was gloom, apathy, indifference. News was coming in hourly from the Provinces of uprisings and murders. The Il Chin Hoi—they called themselves reformers, but the nation has labeled them traitors—attempted to make a feast, but the people stayed away. "This is the day not for feasting but for the beginning of a year of mourning," men muttered one to the other.

" "The Japanese authorities who controlled the coronation ceremony did all they could to minimize it and to prevent independent outside publicity. In this they were well advised. No one who looked upon the new Emperor as he entered the hall of state, his shaking frame upborne by two officials, or as he stood later, with open mouth, fallen jaw, indifferent eyes, and face lacking even a flickering gleam of intelligent interest, could doubt that the fewer who saw this the better. Yet the ceremony, even when robbed of much of its ancient pomp and all its dignity, was unique and picturesque.

" JULY 24, 1907—KOREA WITH JAPAN (PROTESTED).

" "ARTICLE 1. The Government of Korea shall act under the guidance of the resident general in respect to reforms in administration.

" "ART. 2. The Government of Korea engage not to enact any laws, ordinances or regulations, or to take any important measures of administration without the previous assent of the resident general.

" "ART. 3. The judicial affairs in Korea shall be set apart from the affairs of ordinary administration.

" "ART. 4. The appointment and dismissal of all high officials in Korea shall be made upon the concurrence of the resident general.

" "ART. 5. The Government of Korea shall appoint as Korean officials the Japanese subjects recommended by the resident general.

" "ART. 6. The Government of Korea shall not engage any foreigner without the concurrence of the resident general.

" JULY 30, 1907—NEW EMPEROR DISBANDS KOREAN ARMY.

" We quote the following from The Tragedy of Korea, page 159:

" "A few days later a fresh rescript was issued in the name of the new Emperor, ordering the disbanding of the Korean Army. This was written in the most insulting language possible. "Our existing army, which is composed of mercenaries, is unfit for the purposes of national defense," it declared. It was to make way "for the eventual formation of an efficient army." To add to the insult the Korean Premier Yi was ordered to write a request to the resident general begging him to employ the Japanese forces to prevent disturbances when the disbandment took place. It was though the Japanese, having their heel upon the neck of the enemy, slapped his face to show their contempt for him. On the morning of August 1 some of the superior officers of the Korean Army were called to the residence of the Japanese commander, Gen. Hasegawa, and the order was read to them. They were told they were to assemble their men next morning, without arms, and to dismiss them, after paying their gratuities, while at the same time their weapons would be secured in their absence.

" AUGUST 1, 1907—JAPANESE IMPERIAL ORDINANCE NO. 319.

" "This ordinance is practically the same in its provisions as Ordinance No. 354, dated October 30, 1910, which has already been referred to by us under the title of "Japanese Administrative Government," except that the governor general was a civil officer and not a military officer. It contained an article, however, permitting him to call upon the commander in chief of the Imperial Army stationed in Korea whenever he deemed it necessary.

" MAY 15, 1908—JAPAN WITH UNITED STATES.

" "ARTICLE 1. The Japanese Government shall cause to be enforced in Korea simultaneously with the operation of this convention, laws and regulations relative to inventions, designs, trade-marks, and copyrights similar to those which now exist in Japan.

" "These laws and regulations are to be applicable to American citizens in Korea equally as to Japanese and Korean subjects. In case the existing laws and regulations of Japan referred to in the preceding paragraph shall hereafter be modified, those laws and regulations enforced in Korea shall also be modified according to the principle of such new legislation.

" JULY 12, 1909—KOREA WITH JAPAN.

" "ARTICLE 1. Until the system of justice and prisons in Korea shall have been recognized as complete, the Government of

Korea delegates to the Government of Japan the administration of justice and prisons.

"ART. 4. The Korean local authorities and public functionaries shall, according to their respective functions, submit to the control and direction of Japanese competent authorities in Korea, and render assistance to those authorities in respect of the administration of justice and prisons.

"AUGUST 29, 1910—JAPAN WITH KOREA.

"ARTICLE 1. His Majesty the Emperor of Korea makes complete and permanent cession to His Majesty the Emperor of Japan of all rights of sovereignty over the whole of Korea.

"ART. 2. His Majesty the Emperor of Japan accepts the cession mentioned in the preceding article, and consents to the complete annexation of Korea to the Empire of Japan.

"ART. 3. His Majesty the Emperor of Japan will accord to Their Majesties the Emperor and ex-Emperor and His Imperial Highness the Crown Prince of Korea and their consorts and heirs such titles, dignity, and honor as are appropriate to their respective ranks, and sufficient annual grants will be made for the maintenance of such titles, dignity, and honor.

"ART. 4. His Majesty the Emperor of Japan will also accord appropriate honor and treatment to the members of the Imperial House of Korea and their heirs, other than those mentioned in the preceding article, and the funds necessary for the maintenance of such honor and treatment will be granted.

"AUGUST 29, 1910—JAPANESE IMPERIAL RESCRIPT ON ANNEXATION.

"We, attaching the highest importance to the maintenance of permanent peace in the Orient and the consolidation of lasting security to the Empire, and finding in Korea constant and fruitful sources of complication, caused our Government to conclude in 1905 an agreement with the Korean Government by which Korea was placed under the protection of Japan in the hope that all disturbing elements might thereby be removed and peace assured forever.

"For the four years and over which have since elapsed, our Government have exerted themselves with unwearied attention to promote reforms in the administration of Korea, and their efforts have, in a degree, been attended with success. But at the same time the existing régime of government in that country has shown itself hardly effective to preserve peace and stability, and in addition a spirit of suspicion and misgiving dominates the whole peninsula. In order to maintain public order and security and to advance the happiness and well-being of the people, it has become manifest that fundamental changes in the present system of government are inevitable.

"We, in concert with His Majesty the Emperor of Korea, having in view this condition of affairs and being equally persuaded of the necessity of annexing the whole of Korea to the Empire of Japan in response to the actual requirements of the situation have now arrived at an arrangement for such permanent annexation.

"His Majesty the Emperor of Korea and the members of his Imperial House will, notwithstanding the annexation, be accorded due and appropriate treatment. All Koreans, being under our direct sway, will enjoy growing prosperity and welfare, and with assured repose and security will come a marked expansion in industry and trade. We confidently believe that the new order of things now inaugurated will serve as a fresh guarantee of enduring peace in the Orient.

"We order the establishment of the office of Governor General of Korea. The Governor General will, under our direction, exercise the command of the army and navy and a general control over all administrative functions in Korea. We call upon all of our officials and authorities to fulfill their respective duties in appreciation of our will and to conduct the various branches of administration in consonance with the requirements of the occasion, to the end that our subjects may long enjoy the blessings of peace and tranquility.

"AUGUST 29, 9110—JAPANESE NOTICE TO POWERS OF ANNEXATION.

"By virtue of that important act which shall take effect on its promulgation on the 29th August, the Imperial Government of Japan undertake the entire government and administration of Korea, and they hereby declare that matter relating to foreigners and foreign trade in Korea shall be conducted in accordance with the following rules:

"(1) The treaties hitherto concluded by Korea with foreign powers ceasing to be operative, Japan's existing treaties will, so far as practicable, be applied to Korea.

"(2) Independently of any conventional engagements formerly existing on the subject, the Imperial Government of Japan will, for a period of 10 years, levy upon goods imported into Korea from foreign countries or exported from Korea to foreign countries, and upon foreign vessels entering any of the open

ports of Korea, the same import and export duties and the same tonnage dues as under the existing schedules.

"The same import or export duties and tonnage dues as those to be levied upon the aforesaid goods and vessels will also, for a period of 10 years, be applied in respect of goods imported into Korea from Japan or exported from Korea to Japan and Japanese vessels entering any of the open ports of Korea.

"(3) The Imperial Government of Japan will also permit, for a period of 10 years, vessels under the flags of powers having treaties with Japan to engage in the coasting trade between the open ports of Korea and between those ports and any open ports of Japan.

"APRIL 21, 1913—JAPAN WITH POWERS.

"A protocol agreed to at the conference held between the director of the bureau of foreign affairs of the government general of Chosen and the consular representatives of treaty powers concerned relating to the abolition of the system of foreign settlements in Chosen.

"ARTICLE 1. The foreign settlements in Chosen, namely, Chemulpo, Chinnampo, Kunsan, Mokpo, Masampo, and Songehin shall be incorporated with the respective newly organized communes of Chosen, to which they appropriately belong.

"ART. 3. The common funds and property, if any, belonging to the municipal councils of the said foreign settlements shall be transferred to the local authorities concerned."

"TREATIES VOID BY REASON OF FRAUD AND DURESS.

"We have just furnished the committee, chronologically, all of the treaties and conventions and the formal official acts necessary to an understanding of the political status of Korea. No attempt has been made up to this time to introduce the concurrent facts, except in so far as they are developed by the formal treaties, conventions, and official protests that are matters of public record.

"The old Emperor's protest to the United States, already quoted at page 36, gave notice of Japan's oppression and selfish motives as evidenced by her acts, and seeks assistance and the good offices of the United States to prevent the consummation of the Japanese threatened destruction of the independence of Korea. This protest was prepared and dispatched before the alleged protectorate had been asserted by Japan, although its delivery was prevented by wily, crafty, diplomatic Japanese intrigue until after Japan had asserted its alleged protectorate.

"The official record shows you that this protest was prepared in October; that the protectorate was asserted November 17, 1905; that Japan gave out notice on November 22, 1905, to the powers that this protectorate was entirely agreeable to the Korean Government and the Korean people, now known by the world to have been a false announcement, but then taken without proof to be true; that on November 25, 1905, the Emperor's protest, prepared and dispatched in October to the United States, was officially delivered to the State Department; and that on November 26, 1905, the cable from the old Emperor asserting that the protectorate was obtained at the point of the sword and was null and void and that he had not consented to it and never would was also filed with the State Department of the United States. That cable has already appeared at page 39 of this statement and brief.

"The official record already quoted also shows your committee that the old Emperor found that a further appeal was necessary. On June 22, 1906, he commissioned a special envoy (see p. — of this statement and brief) to the United States, Great Britain, France, Germany, Russia, Austria-Hungary, Italy, Belgium, and China, with full authority to represent the interests of the Korean Empire at the seat of each of those Governments, and instructed him to deliver to each of those Governments a document relative to the political situation in Korea, and to take such steps as might lead to the peaceful settlement of the difficulties which had arisen with Japan. He was also given special authority to secure an adjustment of the matter before the peace conference at The Hague.

"This document which the special envoy was instructed to present to the powers has already been shown in the official record at page — of this statement and brief. It recited the fraudulent character of the asserted protectorate by Japan, declared that it was invalid, and that under no circumstances would the Government of Korea voluntarily consent to the ratification of any instrument which would impair the independence of Korea, and that if any power claimed that the protectorate had been with the consent of Korea that such claim would be wholly false; and in view of the fact that Korea was a de jure independent power and nation the powers were requested to reassert their right to establish diplomatic relations with Korea, and were also requested to aid Korea in bringing the matter

before The Hague Tribunal in order that Korea's legal and just claim might be legally established.

"This is the official record, and it might well be said that it is sufficient in and of itself, without reference to extraneous proof to establish that the asserted protectorate of November 17, 1905, was void. The old Emperor, the acknowledged and recognized ruler of the Korean nation, that has had a national independent existence for over 4,000 years—to be exact ever since 2333 B. C.—officially denounces the announcement of the asserted protectorate as false. His denouncement and his assertions should be taken as true.

"Japan herself up to this time had been loudest in asserting to the world that Korea was an independent nation.

"For the purposes of proper explanation of the questions here involved, to your committee, we have not deemed it necessary to go back in the political history of Korea of 1876.

"By solemn treaties and conventions Japan reiterated again and again the sovereign independence of Korea. In the treaty with Korea dated February 26, 1876, Japan says: 'Chosen (Korea) being an independent State, enjoys the same sovereign rights as Japan.' In her treaty with China dated April 18, 1885, Japan agreed to withdraw her troops then stationed in Korea and forced China to agree to the same stipulation; and forced China to a mutual agreement to invite Korea to instruct and drill a sufficient armed force, to the end that she might herself protect her national security and to invite Korea to engage the services of officers of a third power to instruct such armed force, both China and Japan binding themselves not to send any of their officers to Korea for the purpose of giving such instruction.

"By Japan's treaty with Korea dated July 14, 1894, Japan covenanted 'That the independence of Korea was declared, confirmed, and established, and in keeping with it the Chinese troops were to be driven out of the country.'

"By her treaty with China dated April 1, 1895, Japan forced China to recognize definitely the full and complete independence of Korea.

"By her treaty with Russia dated June 9, 1896, Japan forced Russia to consent to the formation and maintenance by Korea of the national armed force.

"In the treaty with Korea dated February 23, 1904, Japan solemnly covenants by article 3 of that treaty as follows: 'The Imperial Government of Japan definitively guarantee the independence and territorial integrity of the Korean Empire.' In the same year that a protectorate was asserted Japan recognized the independent national existence of Korea by making two treaties with Korea by which she and her subjects acquired economic rights in Korea. On April 1, 1905, she covenanted with Korea for the purpose of acquiring the post, telegraph, and telephone lines in Korea, and on August 13, 1905, only a brief period of three months before asserting the alleged protectorate, she entered into a treaty with Korea, thereby recognizing the national independent existence of Korea and recognizing the right and jurisdiction of Korea to control navigation within her territorial limits, to permit Japanese vessels to navigate along the coast and in inland waters of Korea for the purpose of trade.

"So it appears that within a few months of the asserted protectorate that Japan recognized the national independent existence of Korea and had proclaimed that national independent existence to the world by her solemn treaties and covenants, and in more than one instance had forced other powers to do the same.

"Under such circumstances, why should not the protestation and written assertion of the recognized ruler of Korea, that the asserted protectorate was invalid, be accepted?

"However, in a presentation of such a momentous question, we might be considered derelict if we did not also present the extraneous proof to show that the Japanese announcement of November 22, 1905, to the powers, of the asserted protectorate of November 17, 1905, was false; that by crafty and malicious diplomatic intrigue she prevented delivery of the Korean protest to the United States until after her announcement of November 22, 1905; that by the same crafty and fraudulent diplomatic methods of intrigue, and by force, she procured the abdication of the old Emperor on July 19, 1907, in order to annul the previously executed authority to the Korean envoy and the protestation to the powers, thus making it impossible for the powers or The Hague convention to officially receive the envoy and to officially consider the protest; that Japan fraudulently and by political and diplomatic intrigue procured the crowning of a new Emperor—an unfortunate known to be non compos mentis from birth—and procured the disbanding of the Korean army; and how Japan dominated and influenced this poor unfortunate new Emperor by alternate threats and promises of new uniforms and toys, until

she finally openly asserted the annexation of Korea and announced the abdication of this puppet Emperor on August 29, 1910.

"If we were to consider what must have been the attitude and temper of the Korean Government and of the Korean people at the time that Japan asserted the protectorate of 1905, we realize how absurd and impossible it would be for the Korean Government and the Korean people to voluntarily consent to this protectorate.

"The Koreans could not but remember, and we can not but remember, that in 1894 Japan procured permission to occupy Korea with her troops during her war with China, under the expressed promise to withdraw the troops at the conclusion of the war, and how at the conclusion of the war with China, Japan violated her treaty in this respect and entered upon a campaign of threats to secure economic privileges and to dominate Korea.

"How could Koreans forget, or we forget, that awful night in October, 1895, when, by Japanese instigation, the Queen, who, with all the power and influence with which she was endowed, was seeking to protect her beloved people from Japanese aggression, was ruthlessly murdered in cold blood and her body burned, and how the grief-stricken Emperor was finally obliged to flee from his own palace and from Japanese domination and threats and to take refuge in the Russian Embassy, a fugitive in his own country and among his own people.

"How can Koreans forget or we forget how intensively the Japanese then brought into play all their abilities of diplomatic craft and intrigue, and finally succeeded in getting the Emperor (then holding the title of King) to return to his palace, upon joint assurances of both Russia and Japan, and how for the time being Japan protested a love and friendship for Korea—that Korea, to her sorrow, and the world, to its horror, has since learned to be insincere.

"Koreans must have had in mind and we must bear in mind how Korea in February, 1904, again gave permission to Japan to occupy Korea with troops during the war with Russia, and how, flushed with her success in the Russian War, Japan, throwing off the guise of friendship, again violated her treaty and refused to withdraw her troops, virtually imprisoning the Emperor and boldly set about to confiscate the economic resources of the country and to dominate its governmental policies.

"It was fresh in the Korean mind that Japan at the end of a great war had defeated Russia and that in lieu of indemnity she had forced Russia to acknowledge her 'paramount rights' in Korea.

"It is impossible to conceive that Korea should forget all of these things and that it should voluntarily and of its own free will consent to, much less welcome, a protectorate from a country by whom she had been so misused.

"As we go back over the situation as it must have been in November, 1905, it becomes clearer and clearer that the crafty Japanese announcement of November 22, 1905, that Korea had consented to and welcomed the asserted protectorate, was absurdly and ridiculously false, and we became more and more convinced of the truth and sincerity of the old Emperor's protestations that the protectorate had not been consented to and would never be consented to by the Korean Government and Korean people.

"It seems so needless to present outside evidence; the most that can be said is that it is cumulative. We hesitate to burden your committee with a volume of outside proof on this matter, and feel that we must swerve from our original purpose to present all of the evidence and content ourselves with only a few quotations from authors of concurrent history.

"You already have before you the statement of Prof. Hulbert, which appears on pages 4194 to 4196 of the CONGRESSIONAL RECORD, in issue of August 18, 1919, to which you can refer.

"We have already quoted from the Tragedy of Korea, a contemporaneous history of current events by Mr. F. A. MacKenzie, on pages 41 and 42 of this statement and brief, covering the crowning of the new Emperor and the disbanding of the Korean Army. Mr. MacKenzie is a writer of note and a man of unimpeachable integrity, thoroughly familiar with the Korean question. The first edition of his work is said to be exhausted and a second edition is in process of publication, but the work can be obtained from any library.

"Prof. Hulbert, to whom we have had occasion to refer so many times in this statement and brief, is also the author of a work on Korean history entitled 'The Passing of Korea.' His thorough and intimate knowledge of the subject can not be questioned.

"There are many other authors and historians of note who have written of and treated the Korean question. The limited space to which we must confine ourselves prevents reference to or quotations from such writers. Permit us, however, to quote

the following from pages 131 to 137 of Mr. MacKenzie's work, 'The Tragedy of Korea,' as showing what actually transpired in Korea during that month of November, 1905:

"Early in November the Marquis Ito arrived in Seoul as special envoy from the Emperor of Japan, and he brought with him a letter from the Mikado saying that he hoped the Korean Emperor would follow the directions of the marquis and come to an agreement with him, as it was essential for the maintenance of peace in the Far East that he should do so. On November 15 Marquis Ito was received in formal audience and there presented a series of demands drawn up in treaty form. These were, in the main, that the foreign relations of Korea should now be placed entirely in the hands of Japan, the Korean diplomatic service be brought to an end, and the ministers recalled from foreign courts. The Japanese minister to Korea was to become supreme administrator to the country under the Emperor and the Japanese consuls in the different districts were to be made residents, with the powers of supreme local governors. In other words, Korea was entirely to surrender her independence as a State and was to hand over control of her internal administration to the Japanese. The Emperor met the request with a blank refusal. The conversation between the two, as reported at the time, was as follows:

"The Emperor said:

"Although I have seen in the newspapers various rumors that Japan proposed to assume a protectorate over Korea, I did not believe them, as I placed faith in Japan's adherence to the promise to maintain the independence of Korea which was made by the Emperor of Japan at the beginning of the war and embodied in a treaty between Korea and Japan. When I heard you were coming to my country I was glad, as I believed your mission was to increase the friendship between our countries, and your demands have therefore taken me entirely by surprise."

"To which Marquis Ito rejoined:

"These demands are not my own; I am only acting in accordance with a mandate from my Government, and if Your Majesty will agree to the demands which I have presented, it will be to the benefit of both nations, and peace in the East will be assured forever. Please, therefore, consent quickly."

"The Emperor replied:

"From time immemorial it has been the custom of the rulers of Korea, when confronted with questions so momentous as this, to come to no decision until all the ministers, high and low, who hold or have held office, have been consulted and the opinion of the scholars and the common people have been obtained, so that I can not now settle this matter myself."

"Said Marquis Ito again:

"Protests from the people can easily be disposed of, and for the sake of the friendship between the two countries Your Majesty should come to a decision at once."

"To this the Emperor replied:

"Assent to your proposals would mean the ruin of my country, and I will therefore sooner die than agree to them."

"The conference lasted nearly five hours, and then the marquis had to leave, having accomplished nothing. He at once tackled the members of the cabinet, individually and collectively. They were all summoned to the Japanese legation on the following day, and a furious debate began, starting at 3 o'clock in the afternoon and lasting till late at night. The ministers had sworn to one another beforehand that they would not yield. In spite of threats, cajoleries, and proffered bribes, they remained steadfast. The arguments used by Marquis Ito and Mr. Hayashi, apart from personal ones, were twofold. The first was that it was essential for the peace of the Far East that Japan and Korea should be united. The second appealed to racial ambition. The Japanese painted to the Koreans a picture of a great united East, with the Mongol nations all standing firm and as one against the white man, who would reduce them to submission if he could. The Japanese were determined to give the cabinet no time to regather its strength. On the 17th of November another conference began at 2 in the afternoon at the legation, but equally without result. Mr. Hayashi then advised the ministers to go to the palace and open a cabinet meeting in the presence of the Emperor. This was done, the Japanese joining in.

"All this time the Japanese Army had been making a great display of military force around the palace. All the Japanese troops in the district had been for days parading the streets and open places fronting the imperial residence. The field guns were out and the men were fully armed. They marched, countermarched, stormed, made feint attacks, occupied the gates, put their guns in position, and did everything short of actual violence that they could to demonstrate to the Koreans that they were able to enforce their demands. To the cabinet ministers themselves and to the Emperor all this display had

a sinister and terrible meaning. They could not forget the night in 1895 when the Japanese soldiers had paraded around another palace and when their picked bullies had forced their way inside and murdered the queen. Japan had done this before; why should she not do it again? Not one of those now resisting the will of Dai Nippon but saw the sword in front of his eyes and heard in imagination a hundred times during the day the rattle of the Japanese bullets.

"That evening Japanese soldiers, with fixed bayonets, entered the courtyard of the palace and stood near the apartment of the Emperor. Marquis Ito now arrived, accompanied by Gen. Hasegawa, commander of the Japanese army in Korea, and a fresh attack was started on the cabinet ministers. The marquis demanded an audience of the Emperor. The Emperor refused to grant it, saying that his throat was very bad and he was in great pain. The marquis then made his way into the Emperor's presence and personally requested an audience. The Emperor still refused. "Please go away and discuss the matter with the cabinet ministers," he said.

"Thereupon Marquis Ito went outside to the ministers. "Your Emperor has commanded you to confer with me and settle this matter," he declared. A fresh conference was opened. The presence of the soldiers, the gleaming of the bayonets outside, the harsh words of command that could be heard through the windows of the palace buildings were not without their effect. The ministers had fought for days, and they had fought alone. No single foreign representative had offered them help or counsel. They saw submission or destruction before them. "What is the use of our resisting?" said one. "The Japanese always get their way in the end." Signs of yielding began to appear. The acting prime minister, Han Kew Sul, jumped to his feet and said he would go and tell the Emperor of the talk of traitors. Han Kew Sul was allowed to leave the room and then was gripped by the Japanese secretary of the legation, thrown into a side room, and threatened with death. Even Marquis Ito went out to him to persuade him. "Would you not yield," the marquis said, "if your Emperor commanded you?" "No," said Han Kew Sul, "not even then!"

"This was enough. The marquis at once went to the Emperor. "Han Kew Sul is a traitor," he said. "He defies you and declares that he will not obey your commands."

"Meanwhile the remaining ministers waited in the cabinet chamber. Where was their leader, the man who had urged them all to resist to death? Minute after minute passed, and still he did not return. Then a whisper went round that the Japanese had killed him. The harsh voices of the Japanese grew still more strident. Courtesy and restraint were thrown off. "Agree with us and be rich, or oppose us and perish." Pak Che Sun, the foreign minister, one of the best and most capable of Korean statesmen, was the last to yield. But even he finally gave way. In the early hours of the morning commands were issued that the seal of state should be brought from the foreign minister's apartment and a treaty should be signed. Here another difficulty arose. The custodian of the seal had received orders in advance that, even if his master commanded, the seal was not to be surrendered for any such purpose. When telephonic orders were sent to him he refused to bring the seal along, and special messengers had to be dispatched to take it from him by force. The Emperor himself asserts to this day that he did not consent."

"NOTICE TO POWERS OF FRAUD IN PROCURING TREATIES.

"If we were to discuss this subject independently, we would repeat much that has already been said. In the treatment of other phases of this matter we have necessarily referred to Korea's official and unofficial protests to the powers and to her appeals for protection under the clauses of her treaties with those powers of amity and commerce. Korea's case has never been decided by any of the powers. She has never been permitted to even present her case. Her appeals and her protests are nevertheless notice of her rights. She did all that she could, and those notices and those appeals amount to an international *lis pendens*.

"However the nations, particularly the United States, may have dealt with Japan with respect to Korea, since the asserted protectorate of Japan over Korea, those dealings have been with full notice of Korea's claims and subject to her rights.

"The fact that the United States, or other nations, may or may not have erroneously accepted Japan's false announcement of November 22, 1905, that the alleged protectorate was with the consent of Korea is not material. To persist in a wrong course, to persist in assisting Japan in a wrong course after we know it is wrong, is to become particeps criminis to the original wrong and injury. We might be excused, or we might be forgiven, for our error in originally accepting Japan's false statement without proof, but we can not be excused and we

can not be forgiven if we persist in that erroneous action after learning the falsity of Japan.

"Must the Government of the United States sit idly by and see this monstrous thing ruthlessly and cold-bloodedly executed without remonstrance or protest, when our mere remonstrance or mere protest, emphatically voiced, would shame and awe Japan, by its very moral force and strength, into undoing the international crime against Korea that it has committed and would save a nation of 19,000,000 souls from bondage and extinction?

"Korea, it may seem to us, in her simplicity, does not believe in the use of armed force. She has delighted to call her country the land of the "Morning Calm," significant of that morning hour of refreshed being, when all is peace and contentment, and significant of the passive, contemplative, and kindly spirit of her people. She believes that moral strength and justice are superior to brute force and materialism. Who are we, that we should say that she is not right?

"Korea does not ask for arms and ammunition with which to assert her rights. She does not ask that we or that any of the powers intervene to protect her by force. She asks only that we give her the moral strength that comes from the assertion of a righteous sentiment by a nation that is known to be just, impartial, and unselfish. We can do no less.

FACTS—THE INDEPENDENT MOVEMENT.

"In spite of the passive, contemplative, nonresisting, and kindly characteristics of the whole Korean people, it was impossible that this aggression and domination by Japanese should not be resented. There were many uprisings at points where Japanese brutality, arrogance, and aggression were particularly active. These were always met by ruthless methods of oppression, and even up to the time of the death of the old Emperor, on January 24 of this year, there had been much bloodshed by patriotic Koreans.

"Instilled with 4,000 years of inherited love for ancestry and tradition, no organized effort was made to restore independence, many factions fearing that this would result in injury or torture to their old beloved Emperor.

"It would seem that they were patiently and passively waiting for the time to come when the old Emperor should be beyond the avenging hand of Japan.

"Subsequent events prove this to be literally true. Immediately upon his death all restraint was removed, and the Koreans, with a unanimity, determined purpose, and organizing ability that astonished the world, rose up as one voice for their 19,000,000 people and proclaimed their restored independence.

"The sincerity, determination, and ability with which this movement was conducted is all the more appreciated when the circumstances are known. The Koreans had no newspapers, their printing presses had been confiscated; they were under the strictest form of police surveillance and censorship; every Korean was registered by the police, and he was obliged to give a strict account of his whereabouts at all times, and no gatherings of Koreans of over five in number were permitted by the police without their sanction or presence. Yet, in spite of all this, communications and notices were in some way mimeographed or duplicated, and the people did meet and did confer. This was all carefully done with the utmost secrecy, not even their friends the missionaries having an inkling of what was transpiring. They organized in every precinct and in every district of Korea, determined upon the exact wording of their declaration of independence, and somehow at some place they procured and distributed copies of the document to every precinct in Korea. In the meantime they selected 33 representative men to sign the document, and it is evidence of their ideas of justice and fair play that they selected as such representative men 15 Christians, 15 members of the Heavenly Way Society, and 3 Buddhists. With a thoroughness and intelligent attention to detail that would do credit to any of our own best constitutional lawyers, they arranged for the day and hour when the declaration of restored independence should be publicly read in every city and precinct in Korea. March 1 was fixed as the day and 2 o'clock as the hour upon which the declaration was to be read, and it was arranged that simultaneously with the reading of the declaration copies should be delivered to Korean boys disguised as Japanese newsboys to be distributed to all the people. Promptly on the day and hour the 33 representatives elected to sign the declaration formally executed it, and it was read, and the boys distributed it as arranged. Many of the readers were shot down, but there was always some one in the crowd at another point who took up the reading where it was stopped. Many of these patriotic boys met their death, but there was always another boy to carry out the program. But all of this is better told by eyewitnesses. Mr. V. M. McClatchy, editor of the Sacramento Bee, was in Seoul, Korea, at the time

of this demonstration, and he is one of the many messengers who brought back to America a copy of that declaration. Upon his return he published in his paper a graphic account of the demonstration under the title "Greatest example in world history of organized passive resistance for an ideal."

"Suddenly, on the Saturday preceding the funeral, March 1, at 2 p. m., without warning or hint to the foreign population and without suspicion evidently on the part of the Japanese ruler, there was inaugurated in every large city of Korea on behalf of its 20,000,000 subject people a peaceful demonstration and demand for national independence. This demonstration continued in various forms throughout the Korean Peninsula up to the date of our departure from Yokohama March 17. Since that time the veil which conceals or distorts happenings in the Far East has dropped for us as it has for all westerners.

"In Seoul the demonstration consisted of a reading of the proclamation in a public park; of the rushing of many thousands of white-robed Koreans down the wide main street, shouting "Mansei," the Korean equivalent to the Japanese "Banzai"; exhortations to the students of the various schools to join in the demonstration and to maintain a peaceful agitation until they secured national freedom and an attempt to enter the palace gates and present a petition to young Prince Yi, etc.

"The police and gendarmes could not stop the crowd at first, but soldiers were called out, and clubbed muskets and swords were used effectively, over 150 prisoners being taken to jail that afternoon, some of them rather severely injured. Somewhat similar demonstrations were made on Monday and on Wednesday; but they did not last long, the Japanese being prepared, and several hundred demonstrators being made prisoners, among them some girl students. The demonstrations in other cities took on a similar character.

"The vernacular press of Japan during the first week of the demonstration was filled with accounts from several special correspondents, declaring that in Seoul and elsewhere throughout the peninsula the Koreans had attacked, injured, and even killed gendarmes, police, and soldiers and injured property. Up to the morning of March 6, when we left Seoul, I am confident that no such thing occurred in that city, and I have reasons to believe it did not occur elsewhere. The most conclusive evidence on this point is the interview published in the Japan Advertiser by the Japanese minister of communication, Noda, who, with other high officials of the Government, went to Seoul to attend the funeral of the former Emperor Yi. Noda did not leave Seoul until March 5, and his interview, published on his return to Tokyo, declared that the Koreans had not committed acts of violence or injured property either in Seoul or anywhere else in Korea.

"On the morning on which we left Seoul, five days after the demonstration commenced, there appeared on posts and walls a second proclamation from the Korean leaders, though unsigned, in which the people were congratulated on the manner in which they had testified to Japan and to the world their desire to be free and on the self-control and forbearance with which they had endured injury and arrest. They were reminded that as Koreans they must stand up for the sacred cause to the last man, and they were cautioned again to do no violence and no injury to property. "He who does this," the proclamation said, "is an enemy to his country and will most seriously injure the cause."

"Meanwhile, the Koreans had carried on the policy of passive resistance by closing up all the schools, the Korean children having ceased to attend, and by ceasing work in the various public utility and manufacturing enterprises."

"Mr. J. A. Armstrong, secretary of the board of foreign missions of the Presbyterian Church of Canada, was in Seoul as late as March 17. His description follows:

"During those two days in Seoul I saw, read, and learned much about the Korean revolution for independence. (I spent three months in Korea in the latter half of 1918 and was therefore somewhat informed as to the conditions which made the people dissatisfied with Japanese rule.) The "adequate reason" was that the missionaries desired that, as a missionary secretary was about to leave for North America, I should know the facts about the movement. Press dispatches are both meager and inaccurate, a fact which should be kept in mind when reading what may come over the cables to our papers. It is unwise for anyone in Korea to send any facts through the mails because of censorship. Only by travelers can the truth reach the outside world, even Japan itself.

"What I learned roused my indignation and sympathy—indignation at the cruel treatment given the Koreans by Japanese police and soldiers; sympathy for an oppressed and defenseless people crying out for justice. I hope to prepare a fuller statement later, and shall therefore set down here only a few points which should be noted.

"1. Missionaries and other foreigners in Korea were as ignorant about the plans of the Koreans as the Japanese themselves. The civil authorities acknowledge this, but the military and the Japanese press in Japan charge the missionaries with instigating the uprising.

"2. It did not originate in mission schools, as alleged, though they are in it, as Government schools are.

"3. Foreigners marvel at the ability and thoroughness with which the Koreans organized and are carrying on the campaign. Even the oldest British and American citizens had no idea that the Koreans were capable of planning and conducting such a widespread rebellion.

"4. Their methods are those of passive resistance, that no violence be used nor resistance offered to arrest. They, even schoolgirls, go to prison singing, cheering, and shouting "Mansei" (Japanese "Banzai," lit., ten thousand times ten thousand years.) This cry, or, as it is sometimes expressed, "Tongnip Mansei" (independence forever), has united the whole nation.

"We might pursue this line of statement indefinitely, but it would be mere repetition and cumulative.

"What we have quoted, however, emphasizes what we have had occasion to say before, that the Koreans are using no force; they believe implicitly in the strength of moral force as against brute force, and is it not possible that they are more enlightened than many of their brothers of the white race?

"Following the passing of this declaration for restored independence, and with the same thoroughness and attention to detail, they elected delegates to a constitutional convention. These delegates, in order that they might not be disturbed, met secretly until they had as between themselves agreed upon a constitution for the government of Korea; then determined upon April 23, 1919, as the date and upon Seoul, Korea, as the place for the formal public meeting of their convention and election of officers. With no printing presses, the type for their constitution was hand carved on blocks of wood and copies were taken from these wooden blocks. When the time came for the holding of the convention it was held at the time and place appointed and the constitution adopted, and Dr. Syngman Rhee was elected president, and other executive officers were duly elected at the same time.

"Their declaration of independence and their constitution is as near our own as the circumstances and conditions in Korea will permit. They declare for and provide for free speech, freedom of religion, and give every Korean—man and woman alike—the right to vote.

"This similarity is not to be wondered at, in view of the fact that the majority of the members of the Korean National Council and the representative officers of the new Korean republic have been graduated from American colleges and universities. They have studied, with oriental thoroughness, all of the different forms of government, and it is no small compliment that they should pattern after the United States.

"In strong contrast to the ideal treatment of the situation by the Koreans, is the positively low, brutal, atrocious treatment of the situation by the Japanese, which we shall now comment on."

FACTS—ATROCITIES.

"This subhead has reference to the proof of inhuman, bestial, wanton, and willful brutality of the Japanese toward the Koreans.

"The evidence of these atrocities is already before the Senate and will be found in the CONGRESSIONAL RECORD, July 15, 1919, pages 2735 and 2736; July 17, 1919, pages 2845 to 2965; July 18, 1919, page 2956; and August 18, 1919, pages 4194 to 4196.

"Thousands have been murdered; more thousands have been wounded and maimed, and still many more thousands have been imprisoned and tortured; churches have been burned; whole villages have been reduced to ruins; women have been outraged and beaten, and even the hands of little children have been cut off, because those tiny hands held aloof the flag of their country.

"The record before you contains the direct, first hand, eyewitness proof of 361 of those murders; time, place, and circumstance. The same record gives you the same detail with reference to 860 wounded and maimed men. You find there direct proof of the burning of churches and destruction of villages. Eyewitnesses and victims themselves tell you how young women and girls were stripped naked and were beaten and flogged, and how their trembling bodies, perspiring from terror and pain, were dashed with pails of cold water; how

their fingers were tied together and then pulled out of joint, and how they were then packed into cells, men and women together, with no ventilation or sanitation. The record tells you how the hospitals were forbidden to care for the wounded, and what indignities and punishments were meted out to Americans and others who dared to assist the wounded, or care for the dead.

"This record comes from a source that can not be disputed. Realizing that Japan had isolated Korea from the world by a rigid censorship, the men who brought you this information took their lives in their hands and their integrity and truthfulness is vouched for by America's best and most upright citizens.

"All of these brutalities and atrocities can not be told. Many of them will never be told. They lie buried in the ashes of ruined villages; have passed into mortal oblivion along with the sanity of grief-crazed women or lie locked in the breast of the guilty man who perpetrated the outrage.

"All these things did not occur in the heat of battle. The excitement of mortal combat did not blind men's senses and deprive them of an appreciation of their acts. It was cold-blooded, premeditated, methodical, ruthless brutality.

"We are appalled spectators, seeing the Koreans a people with no arms, no ammunition, and no weapons of any kind, for the time being helpless before the Japanese, with guns, ammunition, and all modern weapons and instruments of death and destruction.

"We see a reign of terror that has only one close parallel in history—Belgium. Parallel only in some respects, for Belgium had guns, ammunition, and modern weapons of warfare. She was able to, and did, fight back, defending every inch of her territory.

"We see back of Korea her 4,000 years of national existence and independence and the moral force that goes with right and justice. We see back of Japan only the materialistic brute force of an imperial autocracy.

"We are horrified. How long can Japanese autocracy withstand the contempt that must lie in the heart of her own people and in the hearts of the peoples of all nations? The great battle is on between moral force and brute force, and we wonder whether all this is not for some great purpose—to show the world the necessity for ending all autocracy and imperialism.

"In their patient, persistent way the Koreans were insisting upon the God-given right of free speech, humbly believing that if the world but knew their condition and the injustices to which they were being subjected, that somewhere, some place, all these things would be righted. They plead only for a hearing. Who can say but that their way was best? The world has heard. Japan must now receive the verdict and abide the sentence.

"IN CONCLUSION.

"This Korean question, as presented by the facts that we have referred to, presents situations and conditions of strong contrast.

"The Koreans, with their modern republican form of government, representative in character, which stands for the right of self-determination; the Japanese, with their ancient autocratic government, militaristic to the core, believing in the divine right of emperors.

"The idealism of the Korean, believing implicitly in passive resistance only and that right and justice will prevail eventually by sheer force of moral strength, as opposed to the Japanese view that might and selfish desire make right and that all things are accomplished by brute force.

"We have no choice as to the side upon which we must array ourselves. It can not be on the side of the exponents of autocracy and brute force.

"Korea has been shamefully wronged and outraged. We must not permit this shameful outrage to continue, especially if by mere announcement of our position and attitude we can be the means and moral force that will rectify this wrong.

"Korea does not ask us to physically intervene. Her kindly spirit would be troubled if we were to make any physical sacrifices in her behalf. All she asks is that we say to Japan that you have been and that you are treating Korea in a shameful and wrongful manner, and that unless you desist and rectify these wrongs by restoring Korean independence you will be despised and ostracised by all nations.

"Respectfully submitted.

"FRED A. DOLPH,

"Counselor to the Republic of Korea."

